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ABSTRACT

The conference aimed to provide a forum for discussion of a wide variety of issues that relate to Interpreting and Translation, to share research results, training strategies and practice experiences, and to focus on the relationship between research, training, and practice. Papers include: "What Do We on translation and interpreting include: "What Do We Mean by 'Standard' Translation" (Stuart Campbell); "Naturalising Linguistic Aliens: The Translation of Code-Switching" (Madeleine Strong Cincotta); "Nabokov's Translation of Pushkin's 'Eugene Onegin': How Should Translators Intervene Between Author, Text and Reader?" (Stuart Ferguson); "Police Failure To Use Interpreters: Issues and Consequences" (John Gibbons); "Interpreting Politeness in Court: A Study of Spanish-English Proceedings" (Sandra Hale); "On the Urgent Needs for Research on Bilingual Interpreting and Translating in the Australian Context" (Leong Ko); "Fairfield Court Community Access Project" (Carolina Lagos); "Professional Development for Practising Translators and Interpreters" (Elizabeth Lascar); "Interpreting--Race, Class, and Gender" (Kathy Laster, Veronica Taylor); "Translating 'The Light of the Capital'" (Greg Lokhart); "Translation Shifts and Their Implications" (Rochayah Machali); "'Australia Leads the World'...Or Does It?" (Uldis Egils Ozolins); and "Innovative Training and Testing Models for Interpreting and Translation" (Carol Waites, Jana Valentova). (MSE)

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Research, Training & Practice

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Proceedings of the Second Macarthur Interpreting & Translation Conference, March 1996, Sydney

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Preface

Once again it is with pleasure that I present the proceedings of the Second Macarthur Interpreting and Translation Conference: "Research, Training and Practice", held at the University of Western Sydney Macarthur from 29 - 30 March 1996.

The conference aimed to provide a forum for discussion of a wide variety of issues that relate to Interpreting and Translation, to share research results, training strategies and practice experiences, and to focus on the relationship between research, training and practice. All of these objectives were achieved in an enthusiastic and thought provoking environment.

The 1996 conference was held over one day and a half to accomodate for a higher number of papers and a wider variety of topics than the 1995 conference. The topics of the papers included: Literary Translation research and criticism, Interpreter and Translator Training, Translation Theory, Specialist Training, Terminology and Legal Interpreting social issues, training and research.

Over 100 people attended the conference with representatives from AUSIT, NAATI, the major employers, Interpreting and Translation practitioners, academics, students and lawyers. The quality of the papers was very high and it was encouraging to see the increased interest in research in this field often neglected by academics.

I would like to thank those speakers who provided us with their written papers in order to compile this book of proceedings which will no doubt be of great use and value to students and practitioners of Interpreting and Translation as well as to others interested in the field.

Last but not least, I would like to thank all those full time and part time members of staff and students who helped with the organisation of the conference, without whose help the event could not have been possible.

Sandra Hale

Conference Convenor

What Do We Mean by a 'Standard' Translation

Stuart Campbell

University of Western Sydney Macarthur

In this paper I want to provoke some thought about the notion of a "standard' translation of a word or a phrase. I raise the question because I think the idea of a standard translation is rather widespread, especially among newcomers to the field of translation - for example prospective students, new clients, consumers of translations - and that to encourage the belief masks the complexity of the translator's job. It is not only nonprofessionals who speak about standard translations - even professionals do, but we would imagine that their understanding of the idea is more profound. So let me put the notion of standard translation to the test.

My framework will include some ideas that will be familiar to most of you, as well as some new ideas that may strike you as odd. I hope that this little exercise will leave you pondering, especially next time you are tempted to speak about the standard translation of a word of phrase.

Let me begin to tease apart the notion of a standard translation. The notion appears in our ordinary speech in numerous guises. Here I have just picked out half a dozen ways in which we refer to a standard translation:

> the usual word for *cat* in Arabic is ...
>
> the proper translation of *current account* into Indonesian is ...
>
> the right German word for *computer* is ...
>
> the correct Russian translation of *supermarket* is ...
>
> the exact translation of *judiciary* in Thai is ...
>
> the precise French equivalent of *counter lunch* is ...

All these expressions carry some common implications. The first and most general one is the expectation that a word corresponding to the English word exists in the other language. The second implication is that there could be a range of words in the other language that correspond in some way; for example by asking for an *exact* equivalent, we seem to be accepting that there are also less exact equivalents. The third main implication is that there

exists some mechanism to select the best corresponding word. It is this mechanism that interests me most.

The expressions I have just listed were not the result of a systematic search of anything except my own brain, so please do not ask me for statistics on how commonly or rarely they actually occur in speech. However, I think I do have the adjectives right. I checked this by using a thesaurus to throw up equivalents for them, and I found no others that seemed to me to be in normal use. An analysis of these adjectives is quite revealing. It seems to show that our understanding of the notion of a standard translation contains at least three possible elements.

One is the idea of *the most frequently used*, as suggested by *usual*. The three adjectives *proper, right* and *correct* seem to convey the idea of *the most accepted*. And the adjectives *exact* and *precise* seem to carry the notion of these words being *objectively assessed as the best*; what I mean here is that we usually judge material things to be exact and precise by measuring them with rulers, scales and so on, and that to speak of an exact translation is to speak metaphorically as if there were a measuring instrument. The difference between the concrete and metaphorical uses, of course, are that the first reflects a quantitative judgement and the second a qualitative judgment. More of this in a moment.

We have, then, at least three ways in which we seem to understand the notion of a standard translation, at least from the point of view of deconstructing the language we use to refer to the idea. The three methods also cross-refer to two dichotomies. One of these is the dichotomy of *quality* vs *quantity*, the first of which applies to *the most accepted* and *objectively assessed as best*, and the second to *the most frequently used*. The second dichotomy is *objective* vs *subjective*, which distinguishes *objectively assessed as best* and *the most frequently used* from *the most accepted*.

We can see this more clearly by way of a diagram:

the most frequently used	quantity	objective
the most accepted	quality	subjective
objectively assessed as best	quality	objective

Now, given that we have choices about how we talk about standard translation and presumably a set of corresponding beliefs about it, the next task is to enquire about how those expressions and beliefs are activated. In other words, what factors urge an individual to search for the *usual* word as opposed to the *proper* word, or to the *precise* word?

Several factors come to mind. One is the approach of the translator. I have long been interested in the way that translators' personalities may influence their general approach to translation, and in turn the actual language of their target texts. In other work I have tried to show emprically that some transla-

tors are risk takers while others are prudent; some are persistent while others are capitulating.

It may well be the case that personality has a bearing on the way that standard translations are chosen by an individual. For example, a translator with a strongly prescriptive approach to language might prefer *quality* and *subjective* judgements. Let me show you a little test that might reveal your own preferences.

The Arabic word *injaaz* is a tough one to translate. In an experiment, sixteen nonprofessionals came up with seven different versions in a particular text. These were:

achieve	(8/16)
gain	(2/16)
get	(2/16)
obtain	(1/16)
accomplish	(1/16)
regain	(1/16)
struggle	(1/16)

This, then, gives us a quantitative measure of the standard translation. Of these versions, *regain* and *struggle* were clearly wrong, but all of the others gave a comprehensible translation. Which is the standard? *Achieve* was certainly the most frequently used, but it was chosen by only half the subjects. Can we even talk of a standard translation? For a qualitative judgement, let us turn to the Hans Wehr dictionary, where the following equivalents are noted:

execution
implementation
realization
effectuation
accomplishment
achievement
completion
consummation

Only one of Wehr's equivalents - *achievement* - correlates with our test group's views, and we are forced to the conclusion that to decide on a standard translation, we would need to appeal to our sense of descriptivism or prescriptivism: Do we believe in empirical evidence or in the opinion of the dictionary maker? And if we believe the dictionary maker, how do we determine which is the best of those offered?

Another word tested in the same experiment was *dakhmah*, for which my own brain always reserves *huge* as the first choice of equivalent. Out of the sixteen subjects, six entirely omitted it, presumably because as an adjective it was a non-head word and could be left out without compromising the basic syntax of the sentence. The remaining ten translated it as:

huge	(4/16)
extra	(2/16)

excess	(1/16)
enormous	(1/16)
whole	(1/16)
large	(1/16)

This time there is even less evidence of a measurable standard since only 25 per cent of the subjects chose the most common ***huge***. And in this case, we have reason to be very suspicious about the quality of the empirical evidence because some choices appear to have been motivated by a common interference error. There are three strategies evident in the group. One is to choose a word from the "very large' semantic field, thus ***huge***, ***enormous*** and ***large***. Another is to make the common Arabic speaker error of merging the ideas of "very' and "excessive' to produce *excess* and *extra*. This is what happens when some Arabic speakers say that food is *too* tasty instead of *very* tasty. The third strategy is to just mistranslate, thus ***whole***. Hans Wehr, by the way, gives five main senses, the first listed of which refers in a semantically neutral way to size and includes the equivalents ***big***, ***large***, ***sizable*** and ***great***.

So much for the translator's approach: Which did you prefer? Dictionary definitions that do not distinguish equivalents in frequency of usage, or empirical evidence that seems to show a lack of consensus among language users?

The next factor is context, about which I will say very little except to give another experimental example. The sixteen subjects had to translate the word ***makhaazin***, with the following results:

store	(10/16)
silo	(3/16)
container	(1/16)
warehouse	(1/16)
storage room	(1/16

All of these versions were comprehensible, but one sticks out, namely *silo* - the only rendition that implies the kind of material stored in the ***makhaazin***. In my judgement, this was the best translation because it showed that the subjects had their eyes beyond the sentence at hand. They had stored in their minds from other sentences the fact that grain was the material stored, and by using *silo* had added a cohesive link not in the original. But the standard is clearly *store*, even though it produces a dreary bit of translation because it does not take into account the broader context of the passage. And of course the metaphorical use of words virtually blows the idea of standard translations sky high except in the area of stock metaphors like ***the mouth of a river***, which are often translatable across languages.

The final factor is the type of word being translated, and I think it is reasonable to assume that standards are more likely to be found for concrete words and less easily for abstract words, although like all normative statements this one needs to be taken with caution. For example, concrete words

are likely to vary in the extent of their standards from scientific terms to culturally defined items (eg. *penicillin* vs *counter lunch*). To give you a flavour of this factor, here are the "standard' translations of all the words in the experiment, along with their normative strengths:

translation	*normative strength*
able	5/16
achieve	8/16
active	6/16
attack	3/16
building	11/16
civil	11/16
colony	10/16
crisis	11/16
famine	9/16
flame	3/16
flood	4/16
grain	12/16
huge	4/16
people	8/16
pressure	3/16
reserve	8/16
rich	9/16
scheme, process, task, operation	1/16 each
start	11/16
start, appear, emerge	2/16 each
store	10/16
suffocate	5/16

Let me now try to piece together some conclusions.

Firstly, why does this matter? I think it matters for two reasons, the first practical and the second perhaps more philosophical. To the practical one first: At least one international incident in recent times has been exacerbated because of naive beliefs about standard translations. The incident I refer to was Mr Keating's famous "recalcitrant' remark about Dr Mahathir of Malaysia. At the time there was a good deal of amateurish discussion to the effect that the Malay equivalent was more insulting than the English original. The belief that this was based on is the naive one that for each word in language A there is a standard equivalent in language B. What was worse in this case was that the equivalent was said to be more insulting, and the smallest amount of reasoning will tell us that if two things are different, then they are not equivalent! So much for amateur linguistics! A local and more humorous example is the apocryphal story that was doing the rounds of the linguistics department at the Australian National University when I was a student there in the seventies. A well meaning official of the ACTU had phoned the department to find out what the equivalent was in "Aboriginal' for "Workers of the world unite'. When there is so much possibly damaging amateur linguistics in the public arena, surely translators should be the ones to publicly correct these misconceptions. It would have been good to hear a sensible

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counter opinion to the "recalcitrant' nonsense.

The more philosophical reason has to do with our understanding of the relationship between humans and their language. What I have tried to show here is the tension between a very strongly held belief in the existence of standard translations and evidence that such standard translations barely exist at all: Belief contradicts reality. A parallel case is the belief in oppositeness: If you ask just about any English speaker what the opposites of *dead*, *big* and *buy* are, they will immediately say *alive*, *small* and *sell*, despite the fact that the members of each pair are semantically related in three different ways: The belief in some general notion of oppositeness is solid, but not strongly founded.

Let me finish by urging you to think for a moment next time you ask yourself or a colleague what the usual, the proper, right, the correct, the exact or the precise word for something is. Perhaps what you discover about your own beliefs will be more interesting than the answer you get.

Naturalising Linguistic Aliens: The Translation of Code-Switching

Madeleine Strong Cincotta
University of Western Sydney Macarthur

Within the field of literary translation it is sometimes claimed that there exist certain texts which, for one reason or another, are 'untranslatable'. This is the too hard basket to which some literary works are consigned, either relegating them definitively to a restricted local market, forever untranslated, or to that brand of literary translation disfigured at every turn by those shameful white flags known as translator's notes. One example of the sort of text frequently labelled this way are those which involve the use of a linguistic transfer, code-switching, that is, the author's placing within a passage of poetry or prose, or perhaps a section of film or theatre dialogue, of words, phrases, or indeed whole passages in a language or dialect other than that of the main body of the text. A colleague of mine has called these 'linguistic aliens', hence the title of this paper. How are we to deal with such 'aliens' ? How do we 'naturalise' them? Can they simply be left in their borrowed state, and if not, into what language or dialect do we translate them?

Examples of such language usage include a word or phrase which is a common expression used in the ordinary source language but which comes from a classical language related to it either linguistically or historically (e.g. the Latin expression 'terra nullius' as used in English); a word or expression borrowed from a dialect related to the ordinary source language (e.g. 'bonny wee lass'); or even a word in the source language modified so as to indicate the speech of a particular geographical location or social class, (e.g. 'nuffink' for 'nothing'). In some cases the author makes use of words or phrases from a completely separate language (e.g. 'He is so attractive. He has a certain 'je ne sais quoi!") The 'alien' may be a single lexical item or even an entire passage.

There are, of course, only four possible solutions:

1. make no distinction between the two different source languages and keep the entire text in the same target language.

2. keep the transfer in the original source language, i.e. the original second source language.
3. use a slang or colloquial form of the main target language.

   or

4. find another language or dialect, i.e. a 'second' target language for the passage.

Most translators would try to avoid the first and obviously easiest solution because clearly, if there was a code-switch in the source text, something will be lacking in the translation if no such code-switch occurs. When Caroline Bingley, (of the topical Jane Austen novel *Pride and Prejudice*, 1972, p.77) states that 'a *tête à tête* between two women can never end without a quarrel', few knowledgeable readers, let alone translation critics, would be satisfied with a single code rendition which would back-translate to 'a private conversation between two women can never end without a quarrel.'

It is tempting to be very literal and leave the transfer in its original source language. This would leave the code-switch intact, but would this solution convey the author's message at a deeper level? In his short story 'Ma forse mi sbaglio', the contemporary Italo-Canadian writer Antonio Alessio (1992) making reference to eggs and cholesterol, describes the baffled state of the modern consumer attempting to heed the best advice of nutritional science, which one week recommends that which a week later it forbids and which after a month goes back to recommending the same food as the ideal. In short, in the end the poor consumer has to start again *ab ovo*. The meaning of this Latin phrase is not as commonly known to English-speakers as it is to speakers of Italian. The code-switch, therefore, in English is an abrupt one, one which, since the actual meaning of the phrase will be unclear, can only signify something about the character who chooses to use such language, whereas in Italian it is a hilarious play on words and one which would not be above the linguistic abilities of the average reader.

What about using a slang or colloquial form of the target language? The Austrian literary translator Werner Richter, in his paper 'Substituting Colloquialisms for Regional Dialects in Literary Networks' (1996) proposes just such a solution. In the article 'Modern Caribbean Literature: The Challenge of Translating Creole', Waltraud Kolb (1996), while highlighting some of the difficulties of this approach, also suggests 'the application of various levels of slang or dialect to the attempt to painstakingly recreate the phonetic chracteristics of the original'. But is this really a viable solution? When the Nobel laureate Luigi Pirandello (1956) entitled one of his short stories: 'I due compari', thus using the Sicilian dialect term for baptismal or confirmation sponsor as well as the best-man in a wedding party, he was well-aware that the term is also used in dialect as a title of respect like 'Uncle' for someone who isn't actually the brother or brother-in-law of one's parent. It is also used by the baptismal or confirmation sponsor *and all of his family* to refer to the baptisee, the

confirmee or the groom himself, and this 'St. John's' relationship' is carried on in both families to the seventh generation. This means that in small rural villages, eventually almost everyone is a ' compare' of everyone else. Hence, sometimes the term simply refers to the 'neighbours' or 'the menfolk of the village'. Since dear friends are often chosen as 'compari', another meaning is that of a very close friend. One possible translation of the title of this short story could therefore be to use the Australian slang term for a friend, a ' mate', hence: 'The Two Mates', but surely that strikes a wrong chord. It is too Australian to be a Pirandello short story, just as the opposite —Henry Lawson's first story: 'His Father's Mate' would lose its Australian flavour if it were translated as 'Il Compare di suo Padre'.

The fourth solution, that of finding another language or dialect into which to translate the transfer, is certainly both the most satisfying as well as the most difficult. It is the most satisfying in that it keeps the code-switch and it is not limited to a particular linguistic register or geographical manifestation of the target language itself, but most importantly because it can respect the intention of the author himself when he chose to make use of a linguistic transfer. It is often the most difficult solution, however, because it involves the solving of what can be an extremely complex IQ test verbal analogy problem of the type *a* is to *b* as *c* is to *what?*.

In order to make use of this alternative, therefore, it is necessary not only to understand the author's original text in all of its nuances, but also to be thoroughly aware of the stylistic and literary devices which the author uses in order to achieve his desired effect. As is ever the rule in literary translation, it will be the intended effect which will take precedence over the particular linguistic device which the author has used to achieve it. This may at times call for some rather free translating, but the alternative is stilted, unnatural language or even non-text.

What does this mean in practice? Let us look at the first example of a transfer given above: the use of Latin or Greek in an English text. Let us examine what intentions an author may have for borrowing a word or phrase from a classical language in this manner. I would suggest the following reasons:

- The word or phrase is so common in the source language as to have become for all practical purposes a part of the that language for the average native speaker, e.g. 'When they found the body *rigor mortis* had set in.' 'He had trouble establishing his *bona fides*.'
- The word or phrase is frequently used by members of a particular profession. e.g. a doctor's use of the phrase *in extremis*, a lawyer's *in flagrante delicto* or a Catholic priest's *Deo gratias!*
- The word or phrase is a proverb in the classical language, but one so short and well-known that most native speakers of the source language would be familiar with it, e.g. *Carpe diem* or *Tempus fugit*.

- The word or expression is not generally used in the source language except by those who are extremely well educated and/or of the upper classes or those who would like to appear so, e.g. 'Well, of course, my dear, that goes without saying. I mean it is the *sine qua non* of good etiquette, is it not?'

In order to translate such transfers as these, it is necessary first of all to examine the text as a whole, as well as the individual passage in particular, in order to determine what effect the author was attempting to achieve by the use of the transfer. Was it simply an 'accidental' use of a word which the author no longer thought of as 'borrowed' from the classical language since it is so often used in the source language? If this is the case, it will be necessary to either find a language which has the same Classical Language —> Descendent relationship to the target language and see if an equivalent frequently borrowed term can be found. If not, this may be the only time when the transfer may be safely ignored and an alternative expression in the target language chosen. This is because the phrase has already become so much a part of the source language that the reader may, in fact, not even notice the code-switch.

Is the phrase simply the 'shop talk' of a particular profession? If so, then the equivalent 'shop talk' must be used, whether or not it is borrowed from an equivalent classical language. This is important because this linguistic device has no meaning in itself. The author is merely using such a turn of phrase to inform or remind us in a reasonably subtle way of the character's or indeed the narrator's profession. If no linguistic device is available in the target language to accomplish this, perhaps because there is no equivalent profession in the target culture, another approach, of course, will be necessary, but of course in such a case, other aspects of the text will be problematic as well and the translation will probably require the introduction of words taken from the source language and skillfully woven into the target language, but this particular technique, which may often be necessary when translating between two vastly differing cultures, is beyond the scope of this paper.

If the word or phrase is a well-known saying, then obviously it cannot be 'translated', it must be transposed, that is, an equivalent proverb must be found. Otherwise, the result will often become not only clumsy but unintentionally humorous. The use of a proverb from a classical language, however, constitutes a 'double-whammy' in that not only must an equivalent saying be found, but an equivalent classical language as well! However, the rule still applies: if the saying is what is important, then it is the saying which must be preserved (even if not in its literal meaning), while if it is the person's use of a phrase of classical language which is important, then that is what must be preserved even at the expense of the proverb. Any proverb in the classical language will do.

The last-listed function of the use of a classical language is the one which highlights the difficulties involved in the choice of classical language. The

question we must answer in order to choose which language to use is: 'What language holds the same relationship to the target language, as the transfer language does to the source language?' Is it a matter of historical linguistics, i.e. is the classical language the linguistic ancestor of the source language of the text? Is it a matter of political history, i.e. is the classical language politically dominant over the source language of the rest of the text? Does the transfer come from a language which holds an educational or class superiority to the source language? The answer to these questions will determine into what language we translate the 'borrowed' expression.

Of course, it is not only from Classical languages that 'borrowings' are made. Sometimes the transfer comes from a dialect of the source language. Again, the author's intentions must be examined. Why has s/he chosen to make use of a dialect rather than the standard language and why has s/he chosen this particular dialect for the transfer? In general, there are two reasons for making use of a dialect and often both are relevant to a single passage. Dialects are usually related to a particular geographical setting because the nature of dialects is that they be spoken in a specific and relatively limited part of an individual country. The use of dialect words or phrases or indeed whole passages may also involve the politics relevant in that geographical location. In addition, certain dialects are often used by the less well-educated in preference to the standard language of the nation. So, the author may use a dialect phrase in order to establish where the novel, the poem, the play or the short story is taking place. In this instance, the dialect may indeed be unsuitable to transfer to some other dialect because the geographical connotations will be ludicrous. If the characters in a work are speaking broad Australian in order to set the action in outback Australia, (as opposed to down-town London), it will not be possible to translate this into some rural dialect of Chinese since, obviously, the connotations this will call forth from the reader will be anything but Australian.

Similarly, if dialect is being used to indicate not so much geographical location as social class, the dialect or colloquial form of the target language into which to translate it must be chosen carefully or the results will be comical. If a French text has some 'Parigot', the street version of Parisian French, choosing American Black street language can only result in a very confusing text, to say the least. In most cases, a non-standard variety of the language with little or no geographical connotations will be necessary.

A good example of the clever use of differing dialect and style which respects the author's intentions is cited by Cait Murphy (1995) in her article '*Ulysses* in Chinese'. Xiao Qian and his wife Wen Jieruo adapted Chinese styles to Joycean ones.

> Molly, Leopold, and Stephen all have interior monologues, and all sound different. Molly is not very well-educated. She occasionally misuses difficult words, and her thoughts... have an earthy resonance. Stephen, the teacher and literary scholar, is philosophical.

> And Leopold is a middle-class bloke with a big heart who often thinks about sex and bowel movements. So in Chinese, Molly is rendered in working-class Beijing slang, Stephen mostly in classical Chinese, and Leopold mostly in a mixture of modern and classical that dates from the early twentieth century. By varying the styles, the translation manages to convey the differences in character among the three.

Sometimes, rather than an actual dialect or language, the author chooses to use the source language but to modify it in order to simulate the speech of a foreigner or a resident of a particular town or region, to characterise a person as belonging to a particular social class, or even to simulate a speech defect. This usage must be approached in the same manner. The translator must determine what is the most important effect the author is trying to achieve? Is it the 'foreignness' of the accent, or is the actual origin of the speaker relevant? If the author is using this modified language to convey the geographical origin of the speaker, the problem will parallel that of dialect usage. If it is simply a marker for social class (and that may, of course, be any social class), then the task of the translator is easier because all languages will have some marker which s/he can use. If the speech indicates some speech impediment, it is usually the fact that an impediment exists rather than the exact nature of the impediment itself which is important and this may be varied so as to suit the phonological character of the target language. Sometimes a particular speech peculiarity is assumed by, or stereotypically associated with a particular group of people within a society, e.g. 'Wodney' instead of 'Rodney' among some English people or 'brravo' with a soft, palatal *r,* instead of 'bravo' with a flapped *r* as in standard Italian by some Milanese with certain social aspirations to the 'in' crowd. Occasionally, such speech peculiarities can be translated, or rather, transliterated, but sometimes there will simply be no exact equivalent and a speech defect, any speech defect, will have to do.

Sometimes, the transfer, or code-switch, involves a language which is totally 'foreign' to the source language of the original text. Again, we must examine the author's intentions. Why has s/he chosen a 'foreign' language and why has s/he chosen this particular one. If the important element is simply foreignness, then virtually any language will do. If there is a more specific reason behind the author's choice of *this* language, then once more, we have our IQ test linguistic analogy problem: what language has the same relationship to the target language as the language of the transfer has to the source language? What do we do, for example, with a phrase in French within an eighteenth century English text if we want to tranlate that text into Italian? During the eighteenth and nineteenth centuries French was *the* international, high prestige language not only in the English-speaking world but also in the rest of Europe. In this example, we might well leave the transfer in French and obtain the same effect in the target language as the author did in the source language. If the text were twentieth century, instead, the transfer would undoubtedly be into English as English is *the* international prestige

language in Europe in this century. Next century is anybody's guess! Perhaps it will be Chinese, or Spanish!

You may have noticed that certain questions remain unanswered: what is to be done with a dialect or language which is being used as a specific geographical tag? What is to be done when the answer to our linguistic analogy question is 'no language', i.e. *no* language has the same relation to the target language as the language of the transfer has to the source language? In such cases is the text 'untranslateable' or should the translator have recourse to the dreaded ***translator's note***? The answer of this translator is that in most cases this can be avoided. While it is true that no two languages can express precisely the same meaning in the same way, this does not signify, however, that the meaning cannot be expressed, only that the translator must be free to use different means, when necessary, in order to achieve the author's desired effect. If the author has used a dialect as her means of geographically locating the action, it may be necessary to use a different technique to establish the location. If the author has used a particular mode of speech to indicate social class, it may be necessary for the translator to do this in some other way. Does this mean that the translation is somehow 'unfaithful'? Should such a translation be considered a 'different' work of art? I think that every translation is in a sense a 'different' work of art for the very reason that the medium is different. A literary translator must be a capable writer before s/he can be a capable translator, but s/he must be a humble one as well as a sensible one so that the work of the author is never overshadowed. Is this possible? Yes, it certainly is. Is it easy? No, it is a struggle, an incredibly daunting challenge, but it is only through achieving the difficult balance between faithfulness and creativity that great works of literature can be transmitted to all.

As Cait Murphy concludes in her 'Ulysses' article cited above: "The texture may not —cannot— be exactly the same in Chinese as in English, but it is possible to get a ... true sense of it."

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Nabokov's Translation of Pushkin's Eugene Onegin: How Should Translators Intervene between Author, Text and Reader?

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Introduction

Vladimir Nabokov's English translation (1964-75) of Alexander Pushkin's *Eugene Onegin* (1825-32) is at once a utilitarian and idiosyncratic rendering of the poetic workings of the Russian original in 'literal' prose. The copiously annotated translation relies on and illuminates the original in a controversial symbiosis. Relying on Brian Boyd's biographical and comparative interpretation of Nabokov's translation of Pushkin's verse drama (1993, pp. 318-355), I wish to assess the roles which translators can play in the interlingual/intercultural textual dialogues of literary appreciation — further exemplified by the case of Franz Kafka — and propose an ethics of *hermeneutic non-intervention*.

Given that the cultural function of languages other than English is bound to become increasingly residual in Australia, because of the difficulties which many ethnic communities face in maintaining their traditional languages in the face of the dominance of Anglo-American popular culture, which is to say in its dwindling interstices, any ethnic revival in the aftermath of acculturation will see non-Anglo ethnic minorities return to their cultural heritage via translation. Translators therefore have a special responsibility towards the revival of literary culture.

Vladimir Nabokov's translation of *Eugene Onegin* by Alexander Pushkin is a telling example of how responsible a literary translator ought to be. Nabokov's mammoth effort raises some of the philosophical issues relating to literary translation. These issues concern ethics and hermeneutics and will be addressed in their own right at the end of this paper. We will now observe how the valorisation of and involvement with a text in all its interlinguistic and

intercultural complexity lead its translator to engage in activities that are not entirely consonant with the study of literature as a human science.

A Case in Point

The erudition of Pushkin is undisputed. Brian Boyd (1993, p. 343) describes him as "a great poet to whom life and library were one'. The verse of *Eugene Onegin* is characterised by "spareness, rightness, precision' (p. 325).

Because Nabokov had "a combined command of Russian and English that has never been matched' and was therefore "in a unique position to bring Russian literature to the English-speaking world' (p. 319), one would expect him to be more than equal to the daunting task of translating *Eugene Onegin*.

Nabokov's knowledge of the text was a lifelong development (p. 337). He had known the verse epic since the age of nine or ten. He had written a brilliant imitation of the poem in 1926. He had lectured on and written about the text in the 1930s. He taught it again at Wellesley College from 1946.

Nabokov translated six complete versions of *Onegin* between 1950 and 1957. During this extensive work, a theory of translation evolved that became progressively more rigorous and outrageous, amounting to a "violation of the decorum of translation' (p. 320). For Nabokov "deliberately eschews every stylistic grace in order to render with ruthless fidelity the exact verbal meaning of Pushkin's lines, at the cost of all their magic' (p. 318), as opposed to so-called arty translations which he deplored as inadequate surrogates (pp. 328, 330). So when, in 1966, Nabokov came to revise the final version of his translation published two years earlier, he follows the lineation of Pushkin's verse so exactly that his version sometimes has "wrenched and unnatural word order' (p. 330).

Boyd (pp. 333-334) describes Nabokov's "combative spirit: he wants to jar readers accustomed to daintily smooth translations, and he wants to insist that his own translation is *not* meant to stand on its own, to work as English, to remain independent of its original, but it is simply a series of signals designed to point at Pushkin and turn us back to the effort of understanding every nuance of *Eugene Onegin*. "Nabokov's translation is designed for those who may not have the time to master Pushkin's language but know that a great poet cannot be read at second hand (p. 327).

Nabokov's translation can only be appreciated as programmatically literalist and individualist: "His *Eugene Onegin* is a defence of the free twists and particular turns of Pushkin's mind and art and a wholesale defence of the independence of the individual and the passion for the particular that to Nabokov are the essence of all art' (p. 350). This defensiveness exemplifies the protectiveness towards cultural heritage of many exiles.

Nabokov's achievement can be praised for three things: for his transparent distortion of the English language in his work; for how this in turn enables

him to illuminate the lexicogrammatical and textual structure; and for his reconstruction of the interlingual-intercultural genesis of the original. Yet precisely this aspect of reconstruction contributes to flaws in the translation.

On the matter of transparent distortions, some of the awkwardness is an accurate reflection of the original's compressed wording which other translators have reduced to folksy banality (p. 335), but other awkwardness lacks justification for Boyd (p. 327). The main problem with the compressions is that "one cannot compress into a single English word as much information as Nabokov often has at his disposal about a particular word in Pushkin' (p. 332). Nor can the reader of the translation really evaluate the translator's resourcefulness in searching for a comparable rendition because there is no accompanying explanation of the wording (p. 332).

Nabokov's "scrupulous even jarring fidelity' to the original is backed up by a three hundred page commentary which helps the reader to discover what is unique and irreplaceable in Pushkin (p. 335). Yet the commentary, while it encourages the reader to see Pushkin in great detail, is a controversial departure from the original because Nabokov "aims to pursue detail much further than eighteenth-century aesthetics would allow Pushkin, and much further than twentieth-century criticism, with its ideational bent, expects an explicator to venture' (p. 350). His wide reading and his alertness to literature as convention, device and effect allowed him to show far more thoroughly than ever before the extent of Pushkin's reliance on French literature, and on English via French (p. 338). Yet this seeming omniscience misled Nabokov to deny that Pushkin might have encountered some of the English verse to which the poet refers in his Russian verse, in the English original rather than a French translation (p. 352). And his francophile approach to Pushkin even leads him to corrupt the original by substituting French *sapajous* for Russian *obez'yan* instead of the English alternative *monkeys* because the French word appeared in one of the poet's letters (p. 333). Thus Nabokov's absorption in Pushkin's French-speaking world view diverts some signals in Nabokov's translation away from the original.

Function/s of Literary Texts and Problem/s of Knowledge

The teleology of literary translation has been spread all too thinly over the three functions of literary texts. These are, in developmental order, the communicative-pragmatic function of the text for the author who is writing to convey a message, the aesthetic-commercial function of the text within the culture industry and the semiotic-textual function of the text as it is read.

The literary translator may perceive translation in relation to any, some or all of these functions. The literary translator may be acquainted with the author either through personal contact or, as in the case of Nabokov, through the encyclopaedia of human knowledge. The literary translator may, again like Nabokov, appreciate the impact of the work to be translated within the

source culture industry or for world literature. The literary translator may thoroughly interpret the message and understand the technical ingenuity of the text as a piece of writing.

But, to raise the teleology of literary translation as an ethical issue, what can the literary translator honestly know?

In relation to the communicative-pragmatic function, the literary translator can know very little. We observe how Nabokov was led astray by thinking that he had something close to absolute retrospective knowledge about the genesis and cultural significance of a text, thus favouring the authorial intention and even projecting his perceptions of such intentions. And as for creative writers with whom the literary translator can meet to discuss the work to be translated, these can be very tricky customers indeed. Let us take the example of Franz Kafka who, while vowing that he did not want to publish any part of his literary legacy, bequeathed it to Max Brod, the very man who was determined to publish Kafka's writing down to the last tiny fragment. Quite apart from dishonesty and manipulation, the literary translator needs to be wary of unwitting deception from an author whose work is being translated. For the author's intentions may not actually be realised by the text as message.

In relation to the aesthetic function of texts, the translator's perceptions are a matter of compromise and preference and never knowledge. The selection of a literary text for translation may not be a result of the intrinsic merits of the text, for a publishing house may commission a translation merely in order to capitalise on profitable trends within the culture industry. And even when the text to be translated has an indisputable place within the canons of high culture, it must be remembered that the valorisation of the text is reducible to a matter of personal taste and preference and not dependent on any absolute factors which can be known. For no one has ever effectively proved that one work of literature is actually better than another.

So the teleology of literary translation has to look to the semiotic-textual function. But its relation to the knowledge of the translator is also a little problematic, if the translator revels in the interpretative dimension rather than the technical. Of course, literary translators need to understand the texts which they are about to translate. However, they should never forget that a literary text enables as many readings of the text as there are readers. The literary translator can never know what the ultimate interpretation of the meaning of a literary text is. To again take the writing of Franz Kafka as an example, his texts have been interpreted as sociohistorical tracts, religious parables, psychosexual dramas, metaphysical allegories, parodies of archetypal literary genres like the quest. Given the mythic structure of his texts, the list of interpretative approaches to Kafka's writing is endless. These texts are among the most open works of art produced this century and they have prompted the school of so-called *Suspensive Interpretation* (Horst Steinmetz,

1977) within the German discipline of reception aesthetics. This involves interpreting literature in a non-authoritative empirical manner. The basic tenet is: only by comparing all the readings of a text by all the readers can we come to establish the consensus of what the text may objectively mean. This approach has a clear message for any honest literary translator who seeks to do justice to the text to be translated, which is to say: who seeks not to exclude any segment of the range of interpretations open to readers. For the only things which a literary translator can really know, concern the technical ingenuity of the text to be translated, how it works as a written message which can be read in as many different ways as the wording and structure allow. Grasp the text as text and hold onto it. For it will stop the literary translator from sliding off into the unknown which arises from the other functions of literary texts.

Hermeneutic Non-intervention for Accurate Literary Translation

To render the text accurately in its formal complexities and unknowable semantic ambiguities is to avoid intervening in the hermeneutic activities performed by future readers. To go beyond this is to do far less justice to the text.

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Police Failure to Use Interpreters - Issues and Consequences

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Introduction

This paper is about the failure of NSW Police to use interpreters with many people who speak English as a second language. It addresses this firstly by discussing reasons for and against the use of interpreters with people who have a limited command of English. Then, two actual cases are used to exemplify what happens when interpreters are not used. Finally there is a brief discussion of the concerns raised concerning linguistic disadvantage and human rights.

The Non-Use of Interpreters

I have been involved in a large number of cases in which NSW Police interviewed people who had a limited command of English as a second language, and in none of these cases did the police use an interpreter. According to the NSW Police Media Unit no centralised records of interpreter usage are kept, so it is difficult to know with any degree of certainty how usual this practice is. If we take for comparison Carroll's (1995) survey of courts, he found that there were two courts where a firm policy of interpreter use was implemented. In these courts around 25 per cent of cases used an interpreter. In other courts, including magistrates courts, interpreter usage was zero or less than 2 per cent, indicating substantial under use of interpreters. Carroll (1995) also points out that the lack of record-keeping by many courts means that they are not accountable on this issue. The same could be said of police.

From discussion with police I have discovered that there is considerable reluctance to use interpreters. This reluctance appears to have a number of sources. The first is practical. Interviews often take place in the early hours of the morning. At this hour, it can be difficult to obtain interpreters, and they may take some hours to arrive at the police station — from the police point

of view such delays are clearly undesirable. The second issue is that, under 'user pays' principles, the cost of interpreters is charged to the police — a most effective disincentive to using them. A third source is the role played by the interpreter in the interview process itself. A very important element of police interviews is the reading of non-verbal signals from the interviewee. This gives police clues as to the truth and emotional status of what is said. An interpreter is of necessity interposed between the police and the interviewee, which may distort the police perceptions of many of these non-verbal signals such as facial expression, eye contact and physical movement, as well as the difficulty of assessing voice quality in another language. The mediation of the interpreter also provides the interviewee with extra thinking time while the interpreting is taking place, which is particularly unwelcome to the police when a person is being repeatedly pressed on a point of information — in other words police feel that the effectiveness of interrogation is reduced when they lose some control over the timing of the interview (see also Berk-Seligson, 1990: chap 5, on this issue). A final source of difficulty is the perception, held by many police but disputed by interpreters, that the interpreter is to some degree 'on the side of' the interviewee, particularly when the interpreter is a member of the same ethnic and cultural group as the interviewee. While we may not agree with all of these reasons, altogether they do make a reasonable case.

If there are good reasons for *not* using interpreters, what are the reasons *for* using interpreters, if the person that police are interviewing speaks some English. After all, communication does happen. This issue is the nature of that communication, particularly its quality. As a general principle, when justice and people's liberty are at stake, optimal communication is required. I will illustrate this in the cases which follow. More particularly, legal language, even that used by the police, is different from and in most ways far more complex than everyday language. So even someone whose English proficiency permits a reasonable level of everyday operation can fail to understand much of what is being said, and can fail to adequately present their version of events in a legal context.

The problem of course is to show that one set of reasons outweigh the other. How can one demonstrate that the practical and ethical consequences of not using interpreters outweigh the very real practical difficulties of doing so. This issue will be addressed by looking at two cases which involved the two main ways of recording testimony — electronic recording and print recording. In NSW, a video system has recently been introduced. (In UK I believe police use audio only recording. In many parts of the world, including Western Australia, police still do not use any electronic recording.) The types of records that emerge from police interviews are electronic recordings, either audio or video tape, and written documents. These are the main *data* with which a linguist can work.

Case 1 — Without Video

Details of the case

This case involved a man who migrated from Lebanon in adulthood, and spoke a limited amount of English as a second language. He was arrested by police and charged in relation to an alleged drug deal in his house which involved friends and relatives.

Three types of document emerged from this case. The man was interviewed by police, and the interview was recorded in typed form -the *Record of Interview*. When the case came to trial I was contacted by his Defence to check the fidelity of the Record of Interview. In order to obtain comparison data I recorded two interviews with him and transcribed them -this document is referred to as the *Transcript*. Soon after a third description of events was obtained by his counsel using the services of an interpreter - this is an interviewee statement, referred to as the *Statement*. These three accounts -the Record of Interview, the Transcript and the Statement were the sources from which the extracts given here were drawn.

Problems in the absence of an interpreter

Since the police, for whatever reason, did not use an interpreter in this case, we return to the question asked earlier - what were the consequences? To discover this we can compare the two accounts where an interpreter was not used with the one where the interpreter was used.

I shall focus upon a single element found in all three accounts, the description of the drug deal itself. The Transcript, which was not produced with the aid of an interpreter, describes the event as follows:

Transcript

S: Then — then coming Y and X — er glass jar and you know plastic you know shopping bag, he give it to X and he starting to take this stuff — from — from jar — put [inaud] — the man — then maybe five or ten minutes — when he start taking all stuff from jar, I ask — er — X — what's this, what's this — he said, don't worry, don't worry, don't worry, — you know I say [names wife and children] too much upset, he say don't worry don't worry don't worry — You know from that time when I talk to him, you know this man closes numbers bag — you know — numbers bag put on — he close it and go out —

We learn of a plastic shopping bag and a glass jar, and that 'stuff' is being taken from the glass jar and put into something that is inaudible. We also learn that there are some bags with numbers on them. However the process is not clear.

The Record of Interview, again produced without an interpreter, is little better.

Record of Interview

A. X had some stuff to sell and he bring it to my house in a jar

...

Q.23. What happened when X came to your house tonight?

A. He come into the loungeroom and he give the jar to Y, with the stuff, and Y and the other man put it on the scales to see how much. Then other man put it in the bag, close it up with the numbers —

We now have the presence of the 'scales', but the absence of the 'plastic shopping bag'. If we use our background knowledge to the maximum we can perhaps work out most of what was happening, but it is still unclear. This is despite the fact that, since this particular answer is a major concern of the police investigation (namely the description of the drug deal itself) it is likely that the police went through this description a number of times to arrive at the best possible version within the constraints imposed by the interviewee's English.

Once we read the third version, which involved an interpreter, the process becomes completely clear.

Statement

I had seen a set of scales on the table and what I saw was Y taking these plastic bags from a jar which was in the big plastic shopping bag and he was handing them to the thin man who was putting them on the scales. — The thin man then put the plastic bags in a leather suitcase

We now know that there were two types of plastic bag. The large plastic shopping bag and smaller bags containing the drug. The glass jar we discover was inside the plastic shopping bag. The small plastic bags were removed from this glass jar, weighed, and placed in a leather suitcase. The quality and quantity of information here are clearly greatly enhanced by the intervention of the interpreter.

It is however not only information that distinguishes the interpreted from the other two accounts. The interpreted account also gives a very different impression of the speaker. From language that appears child-like and incorrect to non-linguists, we move to adult and coherent speech when the man's mother tongue is used. This is of course not surprising, but impressions are important in the judicial process. Good examples of the difference come in the account of the Subject's handling by police:

Transcript

two man hold my hand - my hand in the back - put whatsname steel one on my hand

Statement

I was grabbed by two men who pulled my arms behind my back. I struggled to free myself but could not. My hands were handcuffed.

Notice too the comparative dignity of the language found in the Statement: 'At that point of time I was aware that there was a drug deal taking place and I did not want it in my home'. This impression derives in part from the

expression 'I was aware of' which is a typical example of grammatical metaphor, in that the process of perception becomes an adjective 'aware'. Halliday (1975) has indicated that this type of grammatical metaphor develops late and is typical of adult speech. Similarly the complexity of the syntactic structure -at least four clauses in a range of structural relationships- is typical of adult language, thus corresponding to the Subject's adult Lebanese Arabic.

In general we have seen that it may be necessary to use an interpreter to reveal a second language speaker's full and accurate account of events, as well as giving a more accurate impression of their intellectual maturity. Let us now turn to a case where video-tape was used to see what is revealed.

Case 2 — With Video

Details of the case

The case itself involved a young Tongan-Australian man who was being charged with murder. The interviewee was born and lived in Tonga until age 10-11. He learned only a little English in school. He then moved to New Zealand, where he received some schooling, but dropped out of school at age 13. Most of his English was learned through social contact with English speakers in New Zealand and subsequently in Australia. He had received little formal instruction in English. To assess his English, I used the ASLPR. He was at level 1+ to 2 on the five point scale, ie., between survival proficiency and minimum social proficiency. Both his comprehension and his production of English were severely limited, despite some superficial fluency. With regard to grammar for example, he commanded only parts of the English tense system and had some difficulties with articles 'the', 'a' etc.; he had problems with complex sentence structure, a noticeable accent, and his vocabulary was limited mostly to the everyday. According to the Tongan interpreter we used, his Tongan was also underdeveloped, not surprising given his life history and limited opportunities to master complex adult language. It was however considerably better than his English.

The psychologist in the case rated his IQ at 40, giving him a mental age of less than six years, and placing him in the bottom 0.1 per cent of the population. This result may be explained in part by his limited language for testing purposes, but is also well established in the bilingualism literature that people who do not attain a full native ability in any language are in danger of suffering cognitive deficits. In this case we do not know whether limited intellectual ability hindered language acquisition, or whether limited language hindered intellectual development, but it seems likely that the two factors were mutually reinforcing.

In the case in question a homicide had taken place, but the fatal blows had not been struck by this man, so the real question was whether he collaborated in the murder. The police were trying to obtain a conviction for murder. In

order to obtain a conviction, they needed to establish that he was actively complicit in the murder. Complicity is an interpretation of events that can only be established through language. The interview was therefore a crucial element in the construction of the case.

The police interviewed the man without the intervention of an interpreter or other support person. They video-taped the interview using the official ERISP system.

Problems in the absence of an interpreter

The man's limited proficiency in English, and his limited formal instruction in the language, were likely to seriously affect a police interview conducted through the medium of English. Compounded with his poor intellectual development, one would predict numerous communication difficulties and breakdowns, including incorrect understanding, absence of understanding, or insufficient understanding on the part of the man, and some misunderstanding of the man by the Police. In other words, communication was likely to be both limited and inaccurate.

The issue that arises is -how can one demonstrate that the failure to use an interpreter led to poor communication between interviewee and police, on the basis of interaction recorded on videotape. I will now examine the linguistic traces left by this problem, and in the process begin the development of a model for such analysis.

Statements Concerning Limited Proficiency

Firstly, during the recorded interview with the police he pointed out his limited English on two occasions, examples 1 and 2:

1. not speaking good
2. cause I never speaking good English

Gratuitous Concurrence

Eades (1994) gives a number of examples of what she terms 'gratuitous concurrence' where Aborigines who are unable to understand legal processes agree with statements they do not understand. It appears to be an attempt to appease authority. Again police are aware of this problem, and NSW Police Instruction 37 'Arrests and Checkpoints' states (p. 30)

> phrase questions in a way that avoids a simple 'yes' or 'no' answer. This will ensure that the person has some understanding of the question.

The implication of the Instruction is clear -people often say 'yes' when they do not understand a question. T' is is particularly common among people in the Asia-Pacific region. Despite the regulation, 145 questions out of 449, or 31 per cent, were answered by a simple 'yeah' or 'yes'.

An indicator that this agreement was not always based on understanding was that on several occasions the man asked the police whether he should

agree, as shown in examples 3-5.

3 Q.All right.You may have to speak clearly when you answer please. Do you agree that prior to the commencement of this interview, I told you that I intended asking you further questions about this matter?

A. I say yes? - yes.

4 Q. Do you agree that earlier tonight you told us that it was your idea to rob these men?

A.What do you want to say?

5 Q. But isn't it the case, that you decided prior to approaching those men, to steal from them?

A. I ... say yes ... or what? ['or what' not transcribed by police]

Presumably the man asked whether he should answer yes because he could not understand the questions. This indicates his limited English, the need for an interpreter. Each of the questions 3-5 manifest considerable linguistic complexity. I have in Gibbons (1990) given a detailed analysis of the long sentence in example 3; it may be sufficient here to simply break it down into its constituents and mention that several of these are related by a complex series of subordinations and coordinations 'Do you agree that/ prior to the commencement of this interview,/ I told you that/ I intended asking you/ further questions/ about this matter', and that 'prior' and 'commencement' are low frequency words, and 'further' and 'matter' are used in a specialised sense that this man is unlikely to know. Similarly Example 4 contains a complex double subordination 'Do you agree that/ earlier tonight you told us that/ it was your idea to rob these men?', and example 5 has a confusing embedding 'prior to approaching those men' interposed between the verb 'decide' and its 'to ...' predicate, and uses the word 'prior' rather than 'before'.

There are other occasions where the interviewee's 'yeah' or 'yes' response is misplaced, as in example 6:

6 Q.What were they — what was John —

A.Yeah

Example 7 provides the crunch example which shows that agreement does not always indicate understanding. The police clearly expect a 'no' response!

7. Q. Has any threat, promise or inducement been held out to you to give the answers as recorded in this interview?

A.Yes.

Markers of Incomprehension

What other evidence is there that miscommunication was taking place, and that an interpreter was needed. On some occasions the interviewee overtly marks incomprehension. In Conversational Analysis terms, these are 'other initiated repair moves' (Schegloff, Jefferson and Sacks, 1977).

They can take the form of *apologies*, as in examples 8-17. A tentative interpretation of the sources of the communication problem is given below the extract in italics.

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8. Q. Did you approach these men?
   A. Your pardon?
   The word 'approach'

9. Q. Did you sustain any injuries as a result of that initial fight?
   A. Pardon? I don't
   'sustain' 'as a result of' and 'initial'

10. Q. Did you see what injuries the little man had?
    A. Pardon?
    Complex sentence structure

11. Q. What were they doing to the man that made you fear that they may kill him?
    A. What did you say, pardon?
    Complex sentence structure

Another signal of incomprehension is when *the police question is answered with another question* requesting clarification.

12. Q. What happened when the men arrived in the car?
    A. What happened?

13. Q. Can you describe that weapon?
    A. Who? - me or them?
    Understands 'describe' as limited to people

14. Q. Where did you hit him with the piece of wood?
    Q. When I hit him?
    Confuses question words when and where

15. Q. What part of the house did you hit?
    A. What do you mean?
    'What part'

16. Q. Can you tell me why, when these men were on the ground and apparently defenceless, you continued to hit them with a piece of wood?
    A. You say, why are you hitting him for?
    Complex sentence; 'apparently defenceless'

17. Q. You have any complaints?
    A. Complaints?
    'complaints'

Another possible signal of comprehension difficulties (often clearly handled as such by the police) is the *absence of a response*, of which are thirteen examples on the tape — for instance examples 26 and 27. Rather than repair initiation, in CA terms, this is a marked non-compliance with the turn taking conventions of English (see Sacks, Schegloff and Jefferson, 1974).

Another type is the *inappropriate response* which clearly violates Grice's maxims. There are a number of occasions where the interviewee seems to confuse the interrogatives 'who', 'why', 'when', 'where' and 'how' (it is worth noting that some pidgins replace these words with 'what man', 'what for',

'what time', 'what place', 'what fashion', and Chinese does something similar, reflecting their semantic complexity). See examples 14 and 18-20.

18. Q.Ten schooners.And where did you consume that alcohol?
A. My cousins and me.

Confuses question words who and where;'consume'

19. Q. How did they come back?
A. Come back.
Q.Were they in a vehicle?
A. Maybe they angry or -

Confuses question words how and why;'vehicle'

20. Q.When did he go home?
A. ... by train or taxi, I don't know

Confuses question words when and how

Another candidate for a vocabulary problem is 'full' in example 21:

21. Q. ...What is your full name?
A.William [first name changed]

Example 22 shows a likely misunderstanding of the meaning of tense and aspect - he seems to understand 'what were they doing' as 'what did they do'

22. Q.When you told them to stop, what were they doing?
A.They - hop on in the car, then they start driving.

In example 23 he apparently reads the request as a question, recognising only the question form, and not its functionally metaphorical use as a request speech act.

23. Yes. Can you describe those two men?
Um - yeah.Yes.

The above examples provide clear evidence that there was miscommunication, and that an interpreter was desirable to improve communication. The typology of incomprehension signals given above may also be of generalisable usefulness for other forensic linguists and discourse analysts. However, perhaps the most worrying aspect of the interviewee's comprehension is that there are many examples where he understood one or two words, sometimes repeating them, and used the strategy of giving a reply on the basis of those. As another second language client expressed it 'Sometime when you speak to me, sometime I don't understand. Sometime I understand two three words, and I think [ie. attempt to work out] what you say'. Often these interviewee responses based on limited comprehension appear relevant and appropriate. Hence poor comprehension is masked, and there is no guarantee that the interviewee has fully understood the question, *even when* relevant and appropriate replies are given.

Police Awareness of Comprehension Difficulties

One question that arises is whether the police were aware of the communication difficulties. One obvious signal is repair sequences which take a number

of turns, showing a recognition of poor communication. If however these repair sequences take the form of substantial linguistic *simplification*, we also have evidence that police are aware of the source of the communication problem, namely the interviewee's limited English proficiency. We have already seen some cases of police *rephrasing into simpler English*. In the following additional examples the rephrasings are marked by an arrow, and detailed underneath in underlined form.

25. Q. Did you sustain any injuries as a result of that initial fight

A. Pardon? I don't -

→ Q. Did you - were you hurt as a result of that initial fight?

A. Hurt?

Did you sustain any injuries → Were you hurt

26. Q...I'd just like to suspend the interview while I go and get that piece of wood that I showed you earlier. Do you understand that?

(No audible response)

→ Q. I want to suspend this and go and get that piece of wood and show you again ...

I'd just like → I want
the interview → this
while + subordinate clause → and + conjoined clause
that + subordinate clause → and + conjoined clause
earlier → again

27. Q....Do you agree once again, that we're the only three people in this room?

[No audible response]

→Q. We're the only three people here?

A. Yes.

Deletion of 'Do you agree once again, that' i.e. removal of subordination
in this room → here

On the basis of this evidence the police were aware of communication problems, and the fact that they solved them by simplifying their language shows that they were aware that the interviewee's English was a source of the problem. (25-27 are also remarkable examples of the ability of native speakers with limited conscious linguistic knowledge to perform far reaching simplifications.) Nonetheless they did not use an interpreter

Conclusion: Practical Consequences and Ethical Implications

What then can we learn from these two cases: what are the practical consequences for the police, and the ethical consequences concerning the treatment of second language speakers?

Practical consequences

Looking at practical consequences, in the first of the cases the police failure to use an interpreter was unfortunate in purely practical terms, because, as we have seen, the police denied themselves substantial and important information about the drug deal that was the main target of their investigation.

In the second case the practical consequence of the distorted interview process resulting from the failure to use an interpreter was even more far reaching. At the 'voir dire' for this case, where the evidence in the case is assessed before it is used in court, the judge refused to admit the video-tape as evidence on the basis of testimony from the psychologist and myself. To quote from the judgement:

> the accused ... would not have understood the formal caution administered (...) that he had a choice to speak or be silent. ... Indeed the accused was in my view simply unaware of his right to silence and I rely upon the other findings to which I have referred above.
>
> Accordingly, I must reject the evidence in its entirety, ...

It is clear therefore that in this case, as in a number of others in which I have been involved, the failure to use an interpreter was self-defeating, in that when these problems were exposed, evidence vital to the prosecution could not be used in court.

Ethical implications

Even more important of course are the ethical implications. In both of these cases the men involved could have been sentenced to very long terms of imprisonment on the basis of evidence that was obtained using procedures that were grossly flawed, because the suspect had real problems both in understanding and in putting into the record their version of events. In these cases, and in others in which forensic linguists (in Australia particularly Jensen, Eades and Cooke) have been involved, the problem could be exposed, and questions could be posed concerning evidence based on such flawed procedures. However, these few cases are likely to be only the tip of an iceberg. For instance, so far as I am aware there have been no linguists from Brisbane, Perth or Adelaide engaged in such work, nor have linguists worked in magistrates courts where the great majority of cases are heard. While the non-use of interpreters is commonplace, we risk gross miscarriage of justice, discrediting of the justice system, and personal suffering for those unjustly imprisoned. It is very important to make a strong ethical and political plea for more extensive interpreter use.

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Interpreting Politeness in Court — A Study of Spanish-English Proceedings

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Introduction

One very important aspect of human speech that can often cause cross cultural misunderstandings is the question of politeness. Traditional linguistic theories of politeness are based on the English language. Brown and Levinson (1987), Leech (1983) and Lakoff (1973), have all suggested that politeness in English correlates with indirectness. Lakoff (1973) has proposed three maxims of politeness: don't impose, give options and make your hearer feel good. A very common technique that is used in English, in order to not impose and give the hearer the option to refuse, is making requests in the form of questions.

However, whereas indirectness is a very important aspect of politeness in English, it is not the case with other languages. Wierzbicka (1985) makes the observation that in Polish, the use of the imperative is used in a wider range of contexts and is not necessarily related to impoliteness. She claims that the same can be said for other European languages. Mir (1993) found, in a study of politeness as expressed by Spanish speakers, that they used more direct requests than American English speakers.

Clearly, politeness is expressed through different speech act strategies by different cultures. This is a fact of which interpreters must be aware so that their interpretation will reflect the degree of politeness intended by the speaker. This can only be achieved by interpreting the function of an utterance instead of the form.

Berk-Seligson (1988) studied proceedings interpreted into Spanish and concluded that interpreters are in fact partial towards the non English speaker, thus upsetting the delicate balance of power in the adversarial system. She supports her postulation by saying that interpreters added a degree of politeness when interpreting into English, by adding the word 'sir' or 'ma'am' in their rendition.

Crystal (1987) highlights that European languages do not use the word 'please' as often as English. If a speaker of English as a second language (L2) uses the word only as it would be used in his/her language, this may appear to be impolite to a native English speaker (L1), and the over use of the word by a L1 English speaker when speaking Spanish, for example, may appear pedantic or sarcastic. The function of 'thank you' is also often different across languages; in English, to respond with 'thank you' to an offer, means acceptance, whereas in French and other Romance languages, it means rejection.

The study

This paper will present a section of the results of a major data based study of courtroom interpreting. The data consist of four interpreted Spanish-English Local Court proceedings, where four different interpreters were used. This paper will deal with the section of the study that analysed the interpretation of politeness markers, such as 'please', 'Thank you', 'sir and ma'am' and conditional modals.

The use of 'sir' 'madam' and 'señor' 'señora'

Throughout the data, the word 'sir' is used only six times in the English questions, when addressing the witness, five times by the magistrate and once by the sergeant. The word 'ma'am' is used twice by the magistrate when addressing the witness. Out of these eight instances, the politeness marker is interpreted into Spanish with the use of 'señora', only twice, both instances when the female witness is addressed. The following examples show the instances.

Uses of sir and ma'am

Mag.-	You can stand down sir, thank you.
Int.-	Puede sentarse atrás otra vez. *(You can sit at the back again)*
Sgt.-	Thank you sir, please tell the court your full name.
Int.-	Por favor dígale su nombre completo al tribunal. *(Please tell the court your full name)*
Mag.-	You can step down now, thank you sir.
Int.-	Ya terminó de declarar, tome asiento. *(You've finished giving evidence. Take a seat)*
Mag.-	Just into the box, if you would sir. *Not translated*
Mag.-	Take a seat sir, if you would
Int.-	Siéntese por favor. *(Please sit down)*
Mag.-	Through what institution did you get your tradesman's certificate sir?
Int.-	¿A través de qué institución? *(Through what institution?)*
Mag.-	Ma'am, could you tell me something please.
Int.-	Señora, quiero que me diga una cosa. *(Señora, I want you to tell me something)*

Mag.- Well ma'am, can you tell me this, if you would please, ...

Int.- Señora, cuando usted estaba viendo a su hijita.... *(Señora, when you were looking after your little daughter...)*

In the above examples, the politeness marker used in English is only interpreted as 'señora' twice, as attention catchers. In these instances, the same register is not kept. In Spanish, the use of the word 'señora' does not indicate the same level of formality as 'ma'am', but rather it is used in more familiar contexts.

In the above examples, this is clear from the use of the word 'cosa' (thing) in the first example with 'señora', and the use of the diminutive 'hijita' (little daughter), in the second example. The lexical item 'cosa' would not be used in a formal context, and neither would the diminutive, which indicates familiarity. The words 'señor' and 'señora' are not true equivalents of 'sir' and 'ma'am', they are only approximations.

Using the surname in Spanish would raise the level of formality, making it closer to the use of the word 'ma'am' or 'sir' in English. The remaining instances where this politeness marker is used in English, are ignored by the interpreter. A reason for this may be that because the uses of such a word are different in both languages, the interpreters subconsciously use the most natural form in Spanish.

The words 'señor' and 'señora' appear in the Spanish interpretation sixteen times, (disregarding the instances when they are used to mean Mr. Mrs, or man or woman), and only in two instances do they indicate a direct translation of the word 'ma'am'. In every other instance, they are additions. The following examples show the instances:

Uses of señor and señora

Sgt- Now, how did he hit you on the back?

Int.- ¿cómo lo golpeó en la espalda, señor? *(How did he hit you in the back, señor?)*

Sgt.- Now, in relation to the bag, can you tell the court what type of bag the defendant was carrying?

Int.- La bolsa que él tenía, qué tipo de bolsa era, señor? *(The bag that he had, what type of bag was it, señor?)*

Mag.- He doesn't have to wait, he can either wait or go as he chooses.

Int.- Señor, no hace falta que espere aquí, puede esperar adentro o puede salir afuera, lo que usted quiera hacer. *(Señor, there is no need for you to wait here, you can wait inside or you can go outside, whatever you want to do.)*

Sgt- Can you state your full name?

Int.- Diga su nombre completo, señora. *(Say your full name, señora)*

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Sgt.- Yes, yes.

Int.- Si, señora.

Sgt.- And your occupation is domestic duties?

Int.- ¿Y usted se dedica a las tareas de su casa, señora? *(And you are a housewife, señora)*

Mag.- Would, would she do so please?

Int.- Tenga la bondad (tranquila no más) tenga la bondad de decirlo, señora. *(Be so kind (slowly, or just calm down 'dear') be so kind as to say it, señora.)*

Sgt.- And you've known Y for ... for how long?

Int.- ¿Cuánto tiempo hace que conoce a Y, señora? *(For how long have you known Y, señora?)*

Sgt.- Which finger, can you tell the court?

Int.- ¿Qué dedo, señora? *(What finger, señora)*

Sgt.- Yes.

Int.- Si, señora.

Sol.- You see, you and Y's wife had an argument...

Int.- Señora, usted y la esposa de Y tuvieron una pelea....? *(Señora, you and Y's wife had a fight...?)*

Mag.- When you had, uh, gone back to look after your daughter...

Int.- Señora, cuando fue, eh, a ver a su hijita... *(Señora, when you went uh, to see your little daughter...)*

Mag.- All right, but when she went...

Int.- Señora, cuando usted fue.... *(Señora, when you went...)*

Mag.- You can stand down now.

Int.- Ya puede sentarse atrás, señora. *(You can sit at the back now, señora)*

The above shows the interpreter's tendency to add the word 'señor' or 'señora' when it is pragmatically appropriate in Spanish and not when the semantic equivalent appears in English. As we have seen, only twice was it a direct translation of the original. In fact, its use in the Spanish context indicates more familiarity than distance. This is most evident when the interpreter says 'tranquila no más' (Calm down dear), which is a very informal and familiar expression. It is used principally as an attention catcher.

The word 'señor' appears four times in the Spanish evidence of one witness, and it is rendered as 'sir' by the same interpreter each time.

Wit.- Si, señor.

Int.- Yes sir.

The findings show that the interpreters generally do not interpret 'señor' and 'señora' for 'sir' and 'ma'am' and vice versa, and when they do, it is either

pragmatically incorrect, or it is used for other reasons. The last example, where the interpreter interpreted 'Sí, señor' as 'Yes sir', every time, is not pragmatically equivalent. When the phrase 'sí señor' is used in answer to a question, it is used as an emphatic way of saying 'yes'. This is evidenced in the intonation of the utterance. It would be translated more appropriately as 'Yes, that's right'. The use of 'señor' here does not mark politeness or gender, the same could be used in answer to a woman. It can be used in colloquial or familiar contexts, where there is no need for politeness.

Politeness in Commands

Mir (1993) conducted a study on indirectness in Spanish and English requests. The results showed that native English speakers tend to use indirectness in their requests, whereas Spanish native speakers tend to use directness in their requests, in the same contexts.

Question types

Speech act strategy	*English*	*Spanish*
Commands with modal 'can'	64.58 per cent	47.9 per cent
Commands with modal 'would'	12.5 per cent	0 per cent
Commands with modal 'could'	8.3 per cent	2 per cent
Direct question with politeness marker	8.3 per cent	2 per cent
Direct question without politeness marker	6.25 per cent	39.58 per cent
Command with 'Do you want...'	0 per cent	6.25 per cent
Command with declarative 'we will...'	0 per cent	2 per cent

The data of my study clearly show that interpreters largely maintain the Spanish tendency to use more directness, even when interpreting an English indirect command. As the above table shows, whereas 85.38 per cent of the English commands were formulated in the form of questions with the use of a modal, only 49.9 per cent of the interpreted questions used a modal. 47.9 per cent of the questions in Spanish used the modal 'poder' (can), and only 2 per cent used the modal 'podría' (could). There was no instances of the Spanish equivalent for 'would', which corroborates Green's (1975) postulation that in Spanish, the equivalent of 'would' does not carry imperative force. Only 6.25 per cent of the English questions were direct commands that used the imperative and no politeness marker, whereas 39.58 per cent occurred in the Spanish interpreted questions. 8.3 per cent of the questions in English were a direct command with a polite marker such as 'please' or 'if you would', whereas only 2 per cent appeared in the interpreted questions. A large percentage of the English indirect commands with modals, were interpreted as a direct question. For example, where the English question was 'Could you describe to the court what happened?', the interpreter would simply interpret 'what happened?'. The data show 18.75 per cent of the interpreted questions to be in this category. Another strategy, occurring 6.25 per cent of the times, is the use of 'do you want', a common polite question form in Spanish, instead of 'can you' and other such modal constructions.

The interpreters in this study do not appear to be systematic about how to interpret such indirect commands, whether as a question with or without a modal, or as an imperative. It is obvious that interpreters understand the intention of the question, which is a command, and choose the strategies at random. The following are some examples of this phenomenon:

Use of modals in command speech acts

COMMANDS WITH '**COULD**'

1/ Sol.- Could you please give your full name?

Int.- Diga su nombre. *(State your name)*

2/ Sol.- Now, could you describe the uh, the street?

Int.- ¿Puede describir la calle? *(Can you describe the street?)*

COMMANDS WITH '**CAN**'

3/ Sol.- Can you tell the court how you've known him?

Int.- ¿Puede decirle a la corte cómo lo conoció? *(Can you tell the court how you met him?)*

4/ Sol.- Can you tell the court what happened?

Int.- y luego, ¿qué pasó? *(And then, what happened?)*

5/ Court Officer.- Can you face His Worship?

Int.- Mire al señor juez. *(Look at the judge)*

6/ Mag.- You can take a seat now.

Int.- Tenga la bondad de tomar asiento. *(Be so kind as to take a seat)*

7/ Sol.- can you tell the court where they were standing?

Int.- ¿Dónde estaban? *(where were they?)*

8/ Sol.- Can you look at that quickly please?

Int.- ¿Quiere mirarlo rápidamente por favor? *(Do you want to look at it quickly please?)*

COMMANDS WITH '**WOULD**'

9/ Sol.- Would you describe to the court what happened?

Int.- ¿Podría describir al tribunal qué es lo que ocurrió? *(could you describe to the court what it is that happened?)*

10/ Mag- Would she do so please.

Int.- Tenga la bondad de decirlo señora. *(Be so kind as to say it, señora.)*

11/ Sol.- Would you give the court your address please?

Int.- ¿Puede darle la dirección a la corte? *(Can you give your address to the court?)*

12/ Sol.- Would you have a look at this...?

Int.- ¿Quiere echar un vistazo a este....? *(Do you want to take a look at this..)*

13/ Sol.- Would you have a look at this photograph for me please?

Int.- Eche un vistazo a estas fotografías. *(Have a look at these photographs)*

The most common and pragmatically appropriate strategy, both linguistically and socially, used in Spanish for commands, would be direct imperatives, especially in a court or an official situation where the person giving the command is in a higher position than the one receiving it. The lack of politeness markers would not be regarded as impolite in Spanish. The use of the English strategies are superfluous, and the witness's response does not seem to change depending on whether the interpreter used a modal in the Spanish question or not. There is only one instance of communication breakdown in the data due to the literal translation of a question with modal used for a command. The incident occurred in Hearing three while examining the wife of the victim, which appears below:

Sgt.- now, can you tell the court what happened near Marion St and Queen St Auburn?

Int.- ¿Puede decir a la corte qué pasó cerca de la Marion St y Queen St en Auburn? *(can you tell the court what happened near Marion St and Queen St in Auburn?)*

Wit.- Mm (assenting)

Int.- Mm, I can.

Sgt.- Yes, now, can you tell the court what happened?

Int.- ¿Puede decirle a la corte qué pasó? *(Can you tell the court what happened?)*

Wit.- Si.

Int.- Yes.

Mag: (Laughs) Would she do so, please?

Int.- Tenga la bondad, (tranquila, no más) tenga la bondad de decirlo señora. *(Be so kind (calm down, dear) be so kind as to say it señora)*

Wit.- Pasó que que él.... *(It happened that that he...)*

In the above extract, the interpreter used the English speech act strategy by using a question with the modal 'can' to make a command. The witness understood the question as a question of ability on her part. The question was 'Can you tell the court?' and twice she answered 'yes', she can. It is curious that after the first communication failure, the interpreter did not change her strategy by converting the question to a direct command, which would be more appropriate in Spanish, instead she asked the question in the same form again. At the frustration of all present, the magistrate intervenes and makes another command with a question, but this time using the modal 'would' and the politeness marker 'please'. The interpreter now changes her speech act strategy by making a command with an imperative and the politeness marker 'Be so kind as', instead of 'please'. This is interesting because the witness understands immediately and answers the question when it is in the imperative.

The use of 'please' and 'por favor'

With regards to the use of 'please' and 'por favor' in the original English questions and in their Spanish interpretation, the table below shows that 'please' appears seven times and 'por favor' only three, and that only once

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does 'por favor' appear as a direct translation of 'please'. This corroborates the assertion that such a word is used with a lot more frequency in English than it is in Spanish (Crystal, 1987), and in particular in this activity type, a hearing or a trial, where in English it is used as part of the questioning technique, to soften the tone of the command. No systematic choice is evident on the part of the interpreter as to when to use the word 'please' and when not to.

Use of 'please' / 'por favor' in commands and interpretations

English	*Spanish Interp.*
1	0
0	1
1	0
1	0
0	1
1	0
1	0
1	1
1	0
Total: 7	Total: 3

The use of 'thank you' and 'gracias'

A very similar result is found in the use of 'thank you'. The word appears in the English questions ten times but it is never interpreted into Spanish as 'gracias'. In English, in this context, thank you is not used to show gratefulness for an action or a kind word, it is used to add force to a command. The interpreters very rightly omitted the word in their interpretation. In Spanish the word is only used to thank and not to express a command.

Uses of 'thank you' in commands.

English	*Spanish*
10	0

Conclusion

The results of this study show that interpreters, in most cases, tend to maintain the correct strategy in Spanish when interpreting politeness from English. They do not interpret literally, they interpret pragmatically. However, it seems that it is a subconscious practice, where the choices are made unsystematically. The data also demonstrate that at times it is impossible to keep the same level of formality.

This raises the issue once again, that interpreting accurately does not mean interpreting literally, even if to those listening to the interpreter in court who may have a rudimentary knowledge of the language other than English, including lawyers and judges, the interpreter is making omissions if they do not interpret politeness markers such as 'please' or 'thank you'. Interpreting this aspect of language accurately means keeping the same level of politeness and formality by using the correct speech act strategies and connotations in the Target Language, regardless of whether the lexical items match.

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On the Urgent Needs for Bilingual Research on Interpreting and Translating in the Australian Context

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Interpreting and translating nowadays play an important role in the multi-cultural society of Australia. As a profession, it serves the community in different areas such as medicine, law, education, business, industry and tourism. Thousands of interpreters and translators are working in different fields in this country and their number is increasing.

Although the importance of interpreting and translating has been recognised in Australia and a lot of research on interpreting and translating is being conducted, there is one area that has received little attention, i.e. bilingual research on interpreting and translation in the Australian context. Interpreting and translating, in the final analysis, is a practice of transfer between two languages. All research on interpreting and translating would lose its meaning and ground if it is not applied to the practice of interpreting and translating between two languages or fails to solve problems in interpreting and translating.

Australia differs from other English-speaking countries in that it has its own institutional structures and practices and therefore uses different concepts and terminologies. However most of the bilingual dictionaries that are available are based on the terminologies used either in Great Britain or in the US. The amount of bilingual research on interpreting and translating and the number of bilingual dictionaries or glossaries in the Australian context are extremely limited. Interpreters and translators are therefore handicapped while working in such an environment. For instance, when they encounter a term with an Australian flavour, they will first consult bilingual dictionaries for its meaning in the other language, but those dictionaries cannot give them a precise translation that fits into the Australian context. They may then resort to Australian English dictionaries like the Macquarie Dictionary, but they are only given a meaning in English. In the end, the interpreters and translators either have to choose the translations given in the bilingual dictionaries regardless of the Australian context, or provide their own translations. As a

result, there will be different translations of the same term and interpreters and translators may fight for an authentic version of translation for years before they reach a consensus if they ever do. This problem has been in existence in the Australian interpreting and translating area for a long time and has created confusion not only to the interpreters and translators but also to the public.

In this paper, I will concentrate on some issues encountered in the Chinese interpreting and translating area, but I believe that a similar situation may also exist in other community languages.

Translation of Names of People and Places

In translating names of people and places, we normally use the method of transliteration. But if it is not standardised, there could be many different translations of the same name. For instance, in the Chinese publications in Australia, I have found four different translations of 'Hewson', five translations of 'Hussein' and nine translations of 'Phillip'. Sometimes, different translations of the same name may even appear in the same newspaper, making its readers wonder who is who.

It is true that in the case of Chinese, different parts of China such as Mainland China, Taiwan and Hong Kong may have different translations of people's names. All these translations, if they are standardised, should be acceptable. But the situation that we are facing is that in each of the above regions, there is usually only one standardised translation of a person's name, while in Australia there can be more than three. Take 'Hussein' for example, where there is only one translation in Mainland China, or Taiwan, or Hong Kong, but there are five in Australia. Probably the fourth one is from Victoria and the fifth from NSW. If the translation of a person's name is initiated in Australia, for instance, Jeff Kennett (the Premier of Victoria), Macquarie University, Monash University, it can be even more chaotic. Since there is no standard translation nor other previous translations to follow, interpreters and translators will resort to creating their own translations, for instance, using their own dialects and making different choices of characters. As a result, those non-Chinese people may have several Chinese names. If they are well-known or if their non-Chinese names are simple and common, they may have a couple of Chinese names. If they are not well-known or have complicated and uncommon names, they will end up with a number of different names in Chinese.

Names of places have also been translated in different ways in Chinese. Victoria is a state, but it has been translated as a province probably since the publication of the first Chinese newspaper in Australia. State and province bear different legal concepts: one has the power of legislation and the other does not. They should not be confused. NSW, for example, has two Chinese translations: one meaning state, the other, province. The Chinese translation of

Box Hill, which is a suburb in Victoria, is very interesting. It has three different translations of the word 'Box': one is a pure transliteration without carrying a particular meaning in Chinese; another is a transliteration but carrying a meaning, i.e. 'Doctorate Hill', because the pronunciation of 'box' is similar to that of 'doctorate' in Chinese; the third one is a direct translation from the two English words, i.e. box hill. Other examples are Richmond, Flemington, each of which has at least three different translations. I believe that Bankstown must have a couple of Chinese names, too. One could be the transliteration and the other is the semantic translation, i.e. 'bank's town', because interpreters and translators can easily use their imagination to relate it to a place known for banks and thus split 'Bankstown' into 'bank's town'.

Translation of Specific Terms

There is a large number of terms which are only applicable to the Australian context. There are terms like 'Bulk Billing', 'Workcover', 'WorkCare', 'Skillshare', 'Joblink', 'Disadvantaged School Program', 'Pinkslip' etc. More such terms are emerging continuously from different aspects of the Australian community. So far there are no standardised translations of these terms in Chinese. It is up to the interpreters and translators to translate them into Chinese according to their knowledge and understanding of the terms. I have collected seven different Chinese versions of 'WorkCare', some of which are totally misleading such as 'job protection' and 'workers' welfare'. There are three translations of 'City Council', which are 'city parliament', 'city administration bureau' and 'city council'.

Furthermore, interpreters and translators usually do not keep a record of the terms that they have translated. They may use one translation for a particular term at one time while use another for the same term in future, the reason being that they have forgotten the original translation and find it hard or impossible to trace it, so they just create a different one. For instance, I have found two translations used by the same translator for 'Council Rate', one was translated as 'administration fee of the municipal government' and the other 'property tax'.

The Department of Social Security is an important organisation, but there are three different translations, only one of which is correct. The other two are 'Department of Social Safety' and 'Department of Social Welfare'. The former was a common translation in Australia before and the latter is still being used in some brochures I have found in a DSS branch office in Melbourne. In the federal election campaign last month, the ALP published a propaganda piece against the Coalition, in which the term 'dewogging' was used. The propaganda was translated by four local Chinese newspapers and there were three different translations of this term. One is 'bleaching', another is 'boring' and the third one is 'purification of Europeans'.

There are some terms which have not been appropriately translated and

therefore remain untranslated in Chinese when people use them. These terms are 'Bulk Billing' and 'RWC' which stands for Road Worthy Certificate in Victoria. There is one funny translation of 'Bulk Billing' in Chinese. It is called 'sliding card system', which does not correctly reveal the meaning. There are some very easy terms in English such as 'spa', 'bushwalking', 'working bee', and 'townhouse', which also remain untranslated in Chinese. It does not mean that these terms are not translatable, but that no concerted effort has been made among the interpreters and translators to translate them correctly and use them consistently in their work.

There are terms which are not clearly expressed in English, such as 'Sexual Harassment Centre', 'Child Abuse Centre'. It is assumed that they mean 'Anti-Sexual Harassment Centre' and 'Anti-Child Abuse Centre'. But when they were translated into Chinese, the prefix 'anti' was not added because translators thought that the English term was such and it would be breaching the code of ethics of being accurate and faithful if they made additions. So the meaning of the translations becomes 'Centre that specialises in sexual harassment' or 'centre that specialises in child abuse'. Similarly, we sometimes heard people say 'I have been involved in sexual abuse for many years', which is really ridiculous and will confuse clients if translated into other languages as such.

Linguistic Pollution

Non-standardised translations and mistranslations are not only limited to some specific terms, but are also common in the translated articles appearing in the Chinese newspapers. We often find some articles in the Chinese newspapers which are full of sentences that either do not make sense or are hard to understand. In the Chinese 'Sing Tao Newspaper' of 18 April 1995, I found a short article about the increase of the cost of Third Party Vehicle Insurance in NSW. It looks like a translation from English, but I could not find the original English article. There are six significant errors, either grammatical or syntactical. In one case, 'the increase of the cost of insurance' became 'the increase of the cost of vehicles'. It is said that due to the commercial need for fast delivery, some Chinese newspapers only request quantity rather than quality from their translators. The consequence of this is linguistic pollution. Apart from providing confusing or misleading information, the translated articles force the readers to read non-idiomatic or even nonsensical Chinese. By and by, the readers, especially the student readers, may become used to it and assume that this is correct and standard Chinese and in the end they will write similar non-idiomatic Chinese. This has already happened to some of my students who grew up in this kind of linguistic environment. They did not bother about grammatical and syntactical soundness in their writing and they tried to convince me that this was correct and standard Chinese which should be acceptable. They said that this was the type of Chinese they had read and been taught since childhood. Let's stop linguistic pollution!

Conclusion

As we have noted, lack of bilingual research on interpreting and translating and lack of standardised translations have produced severe negative impacts, which are mainly as follows:

Interpreters and translators, especially those who are new to this profession, do not know what norm to follow when they come across new terms. They may keep experimenting by creating their own translations until they are satisfied with one. This will lead to a number of different Chinese alternatives for the same English term, which may cause confusion.

Without bilingual research on interpreting and translating, interpreters and translators have been working in the dark and it is hard for them to improve their interpreting and translating skills.

The clients and the public are suffering from ambiguous, confusing, misleading or even wrong information conveyed to them.

The professional level of interpreting and translating in Australia as a whole will be compromised. The communication between Australia and other countries will be affected and the level of languages other than English being used in Australia will be reduced.

As a solution, I strongly suggest that we should:

1. Start bilingual research on interpreting and translation in different languages as soon as possible and publish language specific interpreting and translating journals so that various problems in the actual interpreting and translating practice will be dealt with and interpreting and translating skills be shared;
2. Establish an authoritative body to compile a glossary for interpreters and translators with particular reference to terminology used in the Australian context as well as providing standard and uniform translations of proper names so that translators and the media will have a standard to follow. I have noticed that some organisations such as the Department of Labour, Department of Immigration and Ethnic Affairs and Office of Ethnic Affairs in Victoria have compiled some glossaries. But these glossaries are either too general or limited to the particular domain of the department concerned, or are in English only, and hence do not solve the problem nor meet the need of interpreters and translators. A number of Chinese interpreters and translators have formed a language specific association and the first step is being taken to compile a bilingual glossary in the Australian context. It is hoped that such a glossary will also be beneficial to other languages in Australia;
3. Organise language-specific workshops after any major national conference on interpreting and translating such as this to discuss issues of interpreting and translating in each language.

Fairfield Court Community Access Project

Carolina Lagos

Project Coordinator

Background

In 1992 the New South Wales Ethnic Affairs Commission initiated the Cross Cultural Issues and the Law project with the objectives of:

- Isolating cultural issues that arise in the criminal court system from the multi-cultural and cross-cultural dimensions of that system having regard to the legitimate needs and aspirations of people of diverse ethnic, linguistic and cultural backgrounds in the administration of justice.
- Developing a range of initiatives focussing on practices, procedures and attitudes within and outside the courtroom as a response to prevalent issues.
- Developing an agenda for action.

As part of the project a symposium was held in July 1992 to exchange ideas about and discuss cross cultural issues and the law. One of the recommendations of the symposium was to develop and implement a cross-cultural court project to be based at Fairfield Local Court.

The project itself is a joint initiative of the Ethnic Affairs Commission and Local Courts Administration-part of the Attorney General's Department. It began in September 1995 and will run until the end of this year. My role is to conduct research into the needs of persons of a non-English speaking background and other ethnic backgrounds in relation to Local Courts; compare these needs with the services currently provided and then make recommendations for action to the two departments involved with the project.

At this stage I have conducted the bulk of research and am finalising recommendations for the two Departments. Today I will focus on the research component and my findings, particularly in relation to interpreting in the legal field.

Research Outline

The research that I have conducted is in keeping with the objectives of the project which are:

1. To identify access barriers to the court and related services for people of non-English speaking background and other ethnic backgrounds.(NESB and OEB).
2. To tailor the operation of Fairfield Court (as a model) to address barriers identified and make the court more accessible to NESB and OEB clients.
3. To consider other agencies which have an impact on the court and facilitate and co-ordinate services to meet the needs of NESB and OEB clients.

Through discussions with many people working with the NESB community and legal services providers as well as reviewing relevant reports and literature I have been able to identify many issues related to access and equity in Local Courts for persons of NESB and OEB.The research has shown the needs of NESB clients to be in three main areas:

- Information provision and community education about the legal system, rights and responsibilities and support mechanisms
- Quality, culturally sensitive service from court personnel and service providers.
- Professional Language and Interpreting Services

The success of information, education and quality service for non-English speakers all depend to some extent on professional language and interpreting services. Failure to meet this need may result in initiatives in the other areas not being as effective with regard to the NESB and OEB community.

Information Provision and Community Education

There is a demonstrated need for more information to be made accessible to the NESB and OEB communities. During interviews throughout the community for this project, information provision, especially in the language other than English was raised as a primary need.

One current measure used by many organisations is to supply written information in English with a multilingual message which supplies the telephone number for Telephone Interpreting Service instead of providing full translations in community languages. It has been raised that this may not be of great benefit to the NESB person unless they:

1. Have access to a telephone to call Telephone Interpreting Service.
2. Speak to someone at Telephone Interpreting Service who has the same written document- otherwise they can only be referred on again to another service which does have the document but may not have appropriate interpreting services.

Location of information is also important. It is of no use, for example, to have information only at the court house if a person goes elsewhere to seek information such as to a community centre, church or welfare organisation. Another important source of information is the ethnic media such as SBS radio and television. This is particularly important for those members of the community who are illiterate and therefore unable to access written information.

In general, the research has revealed that many people of NESB and OEB are not aware of how the Australian legal system works, their legal rights and responsibilities and court services. Along with information, education is an important component in increasing awareness of these legal areas.

It is hoped that this research will result in the legal system reaching out to its NESB and OEB clients in relation to information and education by providing appropriate means for those people to have equitable access to court services and justice. Within these means must be culturally-appropriate support mechanisms such as court support groups at local courts to assist NESB clients through the legal process and a high level of co-operation and co-ordination between the court and relevant services in the community serviced by it.

Quality, Culturally Sensitive Service

To complement this information, education and support, court staff and court service providers must provide quality service to all their clients. Encouraging people to go to their local court and seek assistance is of little use if once they arrive they are met with lack of quality in service or unhelpful personnel who are not sensitive to their needs.

Many reports compiled as a result of other research in this area, some written as far back as the mid 1980s, raise the need for court personnel to be trained in cross-cultural sensitivity. In Local Courts cross cultural training regarding NESB clients is not currently available, however there are moves to remedy the situation. This project certainly promotes this type of training for public contact staff.

Professional Language and Interpreting Services

Access to professional language and interpreting services in the legal system is a key to achieving equity for NESB individuals not fluent in English in their dealings with local courts. These services are also a key to ensuring access and equity by the judiciary and service providers. Interpreters are so often seen as only being for 'them', that is the non-English speaker, a fact probably linked to their sometimes perceived partiality. They are in fact the facilitators of communication for *both* parties wishing to communicate in a legal setting.

. At Fairfield Court, the model for this project, interpreters attend court on a daily basis. The languages of peak demand are Vietnamese, Spanish, Khmer, Laotian, Cantonese, Mandarin, Croatian and Serbian. All interpreters requested by the court are employees or contractors from the Ethnic Affairs Commission.

Fairfield court services the local government area with the highest number of overseas born residents. 51.6 per cent of the city's population were born overseas in 133 different countries and 47.9 per cent in a non-English speaking country. 15.7 per cent of residents speak English not well or not at all, five times the state average of 3 per cent (*Fairfield City Community Profile 1991*).

The majority of clients of the court for all types of cases and those who attend the registry office with enquiries live within the jurisdiction of the court. Staff report that they often have difficulty communicating with clients who are not fluent in English.

Various issues involving interpreting and language services have arisen as important during my research at the Local Court. Obviously this project cannot change the world, but making changes and improvements and increasing awareness at the Local Court level is a good start.

The issues I will briefly discuss today are :

- Who is a professional interpreter?
- Substitution of unaccredited/ unqualified persons for interpreters
- Cost as an issue in interpreter provision
- Interpreter Training
- Judicial discretion

Who is a Professional Interpreter?

Different people may have different answers to this question. Even though current legislation refers to interpreters, qualified interpreters and competent interpreters, there is no clear legislative definition of what qualifications a person must have to be accepted as an interpreter in court- it is, as they say in court 'a matter of interpretation'!

In Local Courts, staff are not currently trained about why a professional interpreter is different, the skills that set a professional aside from a bilingual person or levels of accreditation. While this lack of awareness persists and there are no concrete moves to ensure professionals are called at court, inconsistency in interpreter provision may continue as will inconsistency in the quality of the service provided. Without a raising of awareness of all those involved in the legal system regarding professional interpreters, unqualified persons may continue to be substituted for professionals.

Within the legal system there appears to be some confusion in the signifi-

cance of the Ethnic Affairs Commission's identification card. Further, the significance of the different levels of NAATI accreditation is not well understood. There is an assumption by the legal profession that a government endorsed accreditation scheme exists but the refinements of that scheme are not fully appreciated.

Many works covered in my literature review confirm my observation that those unaware of the nature of interpreting often define an interpreter as simply a bilingual person. Hence the use of friends and family to interpret which still persists to some extent.

Use of Non-Professional and/or Unaccredited Persons to Interpret

The research that I undertook revealed the continuing acceptance of non-professional and/or unaccredited persons to perform interpreting services at some courts.

The 1991 Access to Interpreters in the Legal System report by the Commonwealth government acknowledged that the consequences of incorrect interpretation in court are 'too serious to encourage the use of untested and potentially incompetent interpreters'. It also acknowledged that most so-called 'users' of interpreters had no understanding of levels of accreditation nor any concern for having accredited interpreters.

Still, five years after this report, the use of unqualified, partial persons to interpret continues to some extent in Local Courts. Although those attending this conference are, I am sure, aware of the many skills a professional interpreter requires, training is needed to improve legal service providers' awareness of such skills as:

- professional ethics and standards
- good short term memory and the ability to listen and take notes simultaneously,
- and knowledge of specialised terminology

A person untrained in interpreting techniques or the Australian legal system may experience great difficulties in a legal setting in conveying all the linguistic tactics used in the courtroom. In many cases the person being used to interpret would not themselves realise the injustice occurring and even the presiding Magistrate and legal practitioners may not realise the huge impact on proceedings and even the result of the case.

What the project has proposed to start to remedy the situation is cross cultural awareness training for court staff and service providers including cross-cultural communication issues in legal settings and training about interpreters and their role. This type of training would help legal service providers and the judiciary to expect a certain standard of quality from interpreters and increase awareness of their role and impact on proceedings.

This leads us to another important area affecting the need and right of non-English speaking background persons to understand fully the nature and charges against them. This area is cost.

Cost as an Issue in Interpreter Provision

When saying that cost is an issue in interpreter provision, it is important to state that this project has certainly not found that remuneration for interpreters is excessive in any way. Reports studied and discussions with interpreters reveal that remuneration is considered to be poor, partly due to lack of recognition of the importance of their role.

Getting back to cost as an issue, I will explain what happens at court. In New South Wales, the Ethnic Affairs Commission, which provides all court interpreting services requested by Local Courts, operates on a user-pays system. At present Local Courts are exempt from payment solely for:

- Police charge cases.
- Apprehended domestic violence matters.
- 'Mentions' concerning crimes involving victims of violence.

If the court requests an interpreter in any other case it is liable for payment. Other court service providers have no exemption. I refer here to Police and the Legal Aid Commission. This creates a problem at the Local Court and the person who suffers the most is the non-English speaker. Because the court is exempt, other service providers often let the court request an interpreter so for the first appearance date the non-English speaker has no interpreter available to him or her.

Eades (1995) pointed to the difficulties which arise when agencies are required to pay for interpreters out of their own budget stating that this 'is a most effective disincentive to using [interpreters]'.

One anomaly often raised during my research is the fact that although defendants in criminal cases can have a free interpreter, parties in Family Law or Civil cases must pay for their own interpreter and add it to their costs to be settled at the end of the case. Unfortunately, many people do not have money up front to pay for interpreters and so bring a friend along instead, often themselves not realising what a detriment to their case this move may be.

Although there is no easy solution for this issue, it is helpful to know that the law regarding provision of interpreters for evidence has recently improved. This potentially improves the matter of discretion in provision. The challenge for this project is to improve co-ordination between legal service providers to ensure interpreters are available at court when required.

Legal Interpreter Training

A concern repeatedly raised during my research by court service providers

and the judiciary is the greatly varying standard of interpreters undertaking court assignments.

Government reports such as *Multiculturalism and the Law* (1992) acknowledge that legal interpreters require 'a high degree of competence in both languages...the interpretation of evidence must be very precise'. In the State of Victoria there is a separate Legal Interpreting Service which requires potential contractors to pass a 35 hour specific legal orientation course to join the service.

One solution suggested to assist interpreters already practising, is continuing professional education, similar to systems used in the legal and medical professions which require practitioners to accumulate a certain number of points every year in order to renew practising certificates.

Court service providers suggest there is room for improvement in the following areas:

- Professional ethics and behaviour
- Knowledge of the legal system and legal procedures in court
- Language skills- observed in English- perhaps problems in LOTE too.

In a Local Court project this concern may be addressed by clearly defining a standard for court interpreters in Local Courts procedural manuals.

Judicial Discretion

Late last year the NSW Evidence Act was amended to effectively reverse the onus in interpreter provision for the purpose of evidence.

The Act now provides that a witness is entitled to an interpreter unless the witness can understand and speak English sufficiently to give evidence. This is a positive move although the changes may take some time to flow through to daily practice. Perhaps the legislation alone may benefit from additional practice notes or guidelines.

In the Local Court the presiding magistrate has the discretion to decide if an interpreter may assist or not in criminal cases. In civil cases, it is argued, the parties may assent or object to an interpreter or unqualified person assisting a party or witness.

Anecdotally, practising interpreters report that there appear to be a wide variety of responses among magistrates and judges in exercising the discretion to provide interpreters in court. There is also a reluctance on the part of some NESB clients to communicate their need for an interpreter. They may answer some questions in English which may be perceived as demonstrating that there is no need for an interpreter which may not be the case. This reluctance can be explained in two possible ways:-

1. The pride of the NESB person who may not like to admit a language

difficulty.

2. The NESB person's lack of understanding of the Australian legal system and the importance of oral evidence may lead him or her to answer in ways that appear evasive and less credible.

The solution lies in provision of training and education across the system, including the provision of client information to assist witnesses to be aware of the need to ensure that their testimony is communicated to the court in such a way as to ensure that the interests of justice are served.

Where to From Here?

As you can see the research covers a diverse range of topic areas. Many of these will be familiar to you and I do not pretend that they are new concerns, but they certainly have been recognised by this project which aims to improve access to the Local Court for individuals of a non-English speaking background and other ethnic backgrounds. Each topic area has a depth of content which I am unable to expand on today but which will provide valuable information to both Departments involved for reference now and in the future.

As a result of five months of research recommendations are being finalised together with a list of various trial schemes to operate at Fairfield Court throughout this year.

In conclusion I would like to thank UWS Macarthur for allowing me the opportunity to share this important project with you. Printed information regarding the project is available here at the conference and I encourage any of you who are interested in further information about or involvement in the project to contact me.

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Professional Development for Practising Translators and Interpreters

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This paper provides an overview of a survey of five interpreting and translation agencies conducted in late 1994 to investigate the number of accredited and non-accredited Interpreting and Translation practitioners in the field, by language. It was felt that this information would help the Division of Languages and Linguistics to adequately plan its professional development training program.

The paper also discusses a series of professional training courses for translators and interpreters which was introduced in 1994 by the Language Services of the Division of Languages and Linguistics at the University of Western Sydney, Macarthur. These courses were established in response to the growing demand for training in the theory and practice of interpreting and translation for high demand languages, especially minority languages, for which there was no formal training.

For languages not tested by NAATI, the courses in the series would provide practitioners with an opportunity to have formal instruction in the key areas of training required to practise the Interpreting and Translation professions in Australia.

The survey

In November 1994, a small scale survey of accredited and non-accredited practitioners in Sydney was conducted by the Language Services of the Division of Languages and Linguistics as a market research exercise. The aim of the survey was to ascertain the number of accredited and non-accredited practising interpreters working in the field.

Five major agencies were involved in the survey; four from the government sector and one from the private sector. These were: The Ethnic Affairs Commission of NSW (EAC), the Health Care Interpreter Service (HCIS), The Migrant Services Unit of the Department of Social Security (DSS), the Translation and Interpreter Service (TIS) and the private agency, Associated Translators and Linguists (ATL).

These agencies were asked to identify the emerging languages of demand with particular reference to "rare" languages, as well as provide statistical information related to the number of accredited and non-accredited interpreters and translators both fulltime and panellist by language. Appendix 1 (Emerging Minority Languages) gives an overview of emerging languages by agency.

This information revealed that in the high demand language category, an average of 89 per cent of practitioners were accredited and only 10.9 per cent were not accredited. In some agencies such as the EAC, TIS and HCIS, 100 per cent of their practitioners were accredited for the high demand category. Appendix 2 (Number of Accredited Interpreters for High Demand Languages by Agency) provides an overview of this data.

The results of the survey further indicated that while the rate of accredited interpreters for the minority languages category was on average, 74.7 per cent , as opposed to 89 per cent for high demand languages, for some of these languages the rate of accredited interpreters ranged from zero to 25 per cent. Appendix 3 (Accredited Interpreters for Minority Languages and High Demand Languages by Agency) illustrates this finding.

The overall results of the survey provided quantitative information concerning accredited versus non-accredited practitioners in Sydney and identified the emerging languages of demand.

The Interpreting and Translation Professional Development Training Program

It was as a result of the identified need for the training of practitioners, especially those in the non-accredited category, and those interpreters and translators with some form of accreditation wishing to upgrade to professional level, that the Interpreting and Translation professional development training program was established at the University of Western Sydney Macarthur.

The courses developed by the University of Western Sydney, Macarthur were designed to complement existing mainstream courses offered. Drawing on its expertise in the fields of interpreter and translator education, the university developed short intensive courses, according to a market research of practitioners and non-practitioners interested in Interpreting and Translation training.

The focus of the courses was to prepare participants in the theory and practice of interpreting and translation (role, ethics, skills and theory). The courses were intensive, conducted on Saturdays over seven weeks, with a total number of 40 hours of face-to-face instruction. For the interpreting course, these hours were supplemented with a further 40 hours of self-directed study which participants are required to undertake. The self-directed activities involved interpreting practice.

The participants were provided with the flexibility of undertaking intensive training in the fields of interpreting and translation in a language-specific

setting that offered the contextual knowledge required to practise as interpreters or translators in Australia.

The participants had existing language skills in English and a community language, and were being specifically prepared to sit for the paraprofessional or professional level interpreter and translator accreditation examinations conducted by the National Accreditation Authority for Translators and Interpreters (NAATI).

Conclusion

Since the creation of this program, an average of four courses have been conducted each year. In 1994, two NAATI Preparatory courses were offered; one in translation and another one in interpreting. Following an internal restructuring of centres, the Language Acquisition Research Centre took over the conduct of the professional development Interpreting and Translation training courses in 1995. In 1995, four interpreting courses were conducted, and by the end of 1996, four NAATI Preparatory interpreting courses will have been conducted coupled with a conference interpreting course.

Participant evaluations of these courses have been very positive with the most common comment being that the length of the course should be extended. This feedback is indeed encouraging and a review of the courses will be conducted in 1997.

Appendix 1. **Top 15 high demand minority languages.**

RANK	ATI	TIS	HCIS	EAC	DIS	TOTAL
1	Indonesian	Laotian	Indonesian	Korean	Khmer	Khmer
2	Khmer	French	Japanese	Khmer	Farsi	Farsi
3	Korean	Hindi	Sign (Ausla	Tongan	Laotian	Laotian
4	Sign (Auslan)	Tagalog	Farsi	Farsi	Bosnian	Indonesian
5	Farsi	Romanian	Tongan	Russian	Tamil/Samoan	Tagalog
6	Tagalog	Tongan	Hungarian	Laotian	Thai/Urdu	Tongan
7	Hindi	Somali	Khmer	Tagalog	Armenian	Hindi
8	Assyrian	German	Hindi	Indonesian	Assyrian	Korean
9	Portuguese	Samoan/Armenian	Bengali	Tamil	Bengali/Punjab	Tamil
10	Armenian	Burmese	Laotian	Dari/Samoan	Pushto	Sign (Auslan)
11	Hungarian/Roma	Urdu	Tagalog	Ukranian/Hebr	Tetum/Dari	Samoan
12	Sinhalese	Tamil	Wallisian	Hokkien/Malte	Hebrew/Sinhal	Armenian
13	Pushto/Dari	Punjabi	Tamil	Bengali	Swahili/Gujerat	Bengali
14	Tamil	Bengali	Ukranian	Pushto	Amharic	Romanian
15	Ukranian	Teo Chiew/Tetum/Malt	Romanian	Sinhalese	Rarotongan	Assyrian

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Appendix 2. **Accredited interpreters by agency.**

	MINORITY LANGUAGE		HIGH DEMAND LANGUAGES	
	ACC	N/ACC	ACC	N/ACC
ATL	135 (75.8%)	43 (24.2%)	299 (83.7%)	58 (16.2%)
EAC	169 (75.1%)	56 (24.9%)	316 (100%)	0
HCIS	79 (82.2%)	17 (17.8%)	181 (100%)	0
TIS	138 (85.1%)	26 (14.9%)	250 (100%)	0
DSS	53 (53.5%)	46 (46.5%)	385 (76%)	124 (24%)

Appendix 3. **High demand languages.**

RANK	ATL	TIS	HCIS	EAC	DSS	TOTAL
1	Spanish	Vietname	Cantones	Vietname	Cantones	Vietnamese
2	Arabic	Mandarin	Mandarin	Arabic	Vietname	Cantonese
3	Vietname	Cantones	Vietname	Spanish	Spanish	Spanish
4	Mandarin	Spanish	Arabic	Cantones	Arabic	Arabic
5	Cantones	Arabic	Greek	Mandarin	Mandarin	Mandarin
6	Croatian	Korean	Spanish	Greek	Serbian	Greek
7	Turkish	Greek	Italian	Italian	Italian	Italian
8	Greek	Turkish	Russian	Turkish	Portugue	Turkish
9	Serbian	Croatian	Portugues	Serbian	Greek	Serbian
10	Italian	Lao	Korean	Macedoni	Turkish	Croatian

Reinterpreting the Conduit: Professional Perspectives on Race Class and Gender

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Late last year one of us was asked for advice by a legal tribunal which regularly relies upon the services of interpreters. Following their usual practice, they had arranged for an NESB applicant to have an interpreter present for a hearing. A female interpreter arrived and the male applicant objected claiming that he did not feel comfortable discussing his private affairs with a woman. In deference to the applicant's wishes, the tribunal dispensed with the services of that particular interpreter and asked the coordinating agency to send another, male interpreter with the relevant language. The female interpreter then lodged a formal protest claiming that she had been discriminated against in her employment on the basis of gender. The matter has not yet proceeded to legal determination but the scenario does provide a useful illustration of the difficulties of applying the conduit model in practice.

Presumably, the female interpreter was affronted by the implied challenge to her professionalism. She will presumably argue that her commitment to impartial 'neutral' interpreting had been called into question. The interpreter could justifiably argue that since the legal conception of the role of interpreter is that of 'conduit', her gender (and by extension race and class) are irrelevant factors in the performance of professional work. Indeed, it was this capacity of the legal metaphor of the interpreter as conduit to obliterate the personal characteristics of interpreters which made it an appealing model for the newly emerging profession of interpreting in Australia.

For too long, the *ad hoc* community-based model of interpreting had led other professions to conclude that interpreters were partisan members of ethnic communities furthering some vaguely defined collective interest. Interpreters, however skillful, were treated with suspicion and distrust. Interpret-

ers were not accorded the respect and status due to them. Adherence to their role as a conduit is now used as a marker of their new-found professional standing. 'I am a conduit' is now the oft-recited mantra of a professional interpreter,

> my perception of the role now is that of a totally independent, absolutely confidential and absolutely accurate rendering of information from one language to another without putting any sort of input or suppressing any information because it is very vital that everything is accurate (Laster and Taylor, 1993).

In this paper we argue that the variables of race, class and gender are too powerful to be overcome through the imposition of a crude metaphor. In particular, we argue that the interpreting profession's attachment to the conduit model is misplaced. Rather than furthering their industrial ambitions, the machine analogy undermines their claim to professional status. A sophisticated profession needs to actively engage with race/ethnicity, class and gender as practical issues of service delivery requiring the exercise of discretion based on professional judgment. It is the capacity of an occupational group to make informed ethical choices on an individual basis that determines their claim to legitimacy as a fully-fledged profession.

The Invisible Conduit

Lawyer have had the greatest influence on the development of interpreting as a profession in Australia through their characterisation of interpreters as conduits. Australian courts first articulated the notion of the interpreter as conduit in the case of Gaio v R CLR419. The judges of the High Court of Australia accepted the argument that the interpreter could be conceived of as a mere 'conduit pipe'. Kitto, J. suggesting that the function of the interpreter was analogous to a "bilingual transmitter...not different in principle from that which in another case an electrical instrument might fulfil in overcoming the barrier of distance.' (Kitto, J. At 430)

This 'machine' was deemed to contribute "nothing of his own material, he is merely the mouthpiece alternatively of A and B' (per Fullagar, J at 429). The Court adopted this line of reasoning to overcome the evidentiary problem of exclusion of hearsay evidence. According to this ancient rule, evidence given by someone who has merely overheard, or received second-hand information, cannot be used to establish the truth of the statements made. Thus, if an interpreter is presumed to be involved in the original conversation, the effect of the rule would be that parties merely heard their information from the interpreter and so only the interpreter would be able to provide evidence of the truth of the statements made in conversations between the parties. If, on the other hand, the interpreter could be deemed to be a 'mere machine' then the parties could be held to have communicated directly with each other. Through this intellectual sleight of hand, the Court managed to convert the pivotal, crucial role of the interpreter in facilitating communication between people into something unimportant. The effect of the conduit is that the

interpreter is made invisible. As a consequence, the claims of the interpreting profession also disappear.

Asserting Accountability

The effect of the conduit is that interpreters are rarely called to court to give evidence of their interpretation. When interpreters are required to give evidence about their work, they are called as 'ordinary witnesses' confined to testifying about facts. In this capacity an interpreter cannot give opinions about language choices and the intentions of a speaker. Unlike other ambitious professions, interpreters have eschewed the mantle of 'expert witness'. While it may be comforting for interpreters to take a back seat in court proceedings, their lack of accountability comes at a cost. In contrast to other professions, interpreters have sought to lay claim to professional status on the basis of their invisibility rather than their significance. These modest pretensions do not serve them well. In the turf battle to claim and maintain professional status, dogged presence and assertions of expertise are essential (Abbott, 1988).

The conduit model evolved because lawyers, on the basis of their own colonialist prejudices were also keen to absolve interpreters from a professional level of accountability. The leading case of Gaio is well-known but the facts of the case are rarely elaborated. The decision was a criminal appeal to the High Court from the Supreme Court of (the then) Territory of Papua and New Guinea. The accused had made a confession to an Australian patrol officer in his native dialect, Motu, with the assistance of a native interpreter, Arthur. The interpreter had been able to interpret but not remember the details of the interrogation. The Court's reasoning that the interpreter was a 'mere conduit' was a judgement about the limitations of 'native' interpreters.

> The persons there [in the Territory] available to act as interpreters are illiterate or almost illiterate. They are thus not capable either of recording a conversation in writing or even of making notes from which they might later refresh their memories. They are quite capable of making a reliable oral translation [sic] of what is said at the time when it is said, but not of giving later in Court, without the assistance of any record, a reliable account of what they have heard and translated (Per Fullagher, J. at 426).

A far more productive strategy for the interpreting profession would be to highlight the myriad of discretionary choices exercised by skilled interpreters in even a seemingly straightforward language exchange. It is these professional choices, together with a preparedness to defend them, that constitutes the 'value added' of professional responsibility. Passively accepting the myth that language exchange is straightforward and uncontentious, means that interpreters will be regarded as low level functionaries rather than skilled professionals.

Defying Dominance

Lawyers, a dominant profession, have in recent years apparently championed the cause of the interpreting profession. They are actively involved in the

administration and policy of the national accreditation body, NAATI (National Accreditation Authority for Translators and Interpreters) and have pushed forward the progressive enactment of a (limited) statutory 'right' to an interpreter in various legal proceedings (Laster & Taylor, 1994, 72 Appendix A).

Until the 1980s, lawyers showed little interest in interpreters and interpreting. However, once multiculturalism became part of lawyers' own political and professional agenda, they actively participated in strengthening the organisational base of interpreting. The rationale for legal intervention has varied, but the new-found interest in the rights of the disadvantaged is part of the legal system's response to criticism that it is neither 'just' nor 'fair'. In the current climate, the forced participation of uncomprehending people in the processes and rituals of law has proved to be a public embarrassment. NESB people and interpreters have provided a useful way of reasserting the legitimacy of law and the legal process (Laster and Taylor, 1994a).

There is a professional arrogance about these endeavours. Unself-consciously some members of the legal profession assert that the law and lawyers are entitled to demand more and better service to meet their own newly-perceived needs (eg. O'Toole, 1993). Implicit in the discourse is a perception that interpreters are the 'problem' which lawyers, the dominant profession, should 'fix' (Laster, 1989).

The interpreting profession has welcomed legal activism and professional support from lawyers. Naively, the interpreting profession has been content to attach itself to law and lawyers as a 'service' in the hope that professional status will flow to them if they are to live up to the law's demands and expectations of them. Recent sociological work, however, sees professionalisation as a product of the perennial battle among occupational groupings for a 'heartland' jurisdiction, that is, legal and social control over occupational tasks (Abbot, 1988 p.71). Dominant professions, such as law and medicine maintain and enlarge their jurisdiction by creating complex divisions of labour within their own ranks and for other subordinated occupational groups. In accepting a subservient role to lawyers, interpreters have inadvertently stunted their own professional growth and development.

Language and Professional Power

Interpreting, like lawyering, is a 'profession of words' (Mellinkof 1963).In accepting the law's definition of their role of 'conduit' interpreters have abrogated their professional responsibility (and opportunity) to assert professional dominion over the complexities of language. The conduit model presupposes that language transfer is 'straightforward'. This myth hides a serious kind of cultural and linguistic imperialism. It is predicated upon an assumption of the universality of English as the communicative form and a belief in the 'naturalness' of legal language as the common law legal order. Yet the only sustained critique of the conduit model mounted by interpreters is

based on the linguistic difficulties of interpreting from one language to another (eg.Dixon, et al. 1980). Even here, the pretensions of the interpreting profession are modest - to re-educate lawyers so that they recognise problem areas of cross-cultural communication - references to times of day, body parts, plural/singular forms and differences in tenses in various languages. In the course of their work, however, interpreters are loathe to interrupt, correct or seek clarification from lawyers on these and other crucial matters. For one interpreter, being the perfect conduit meant avoiding conflict with lawyers,

> don't use your judgement, don't say 'should I say that or not', don't clarify things. Just be totally detached and interpret everything that is being said no matter what...that's what I should be doing (Laster & Taylor, 1993).

The reluctance of interpreters to intervene and point out cultural and linguistic difficulties inhibiting effective communication is perverse given that linguistic misunderstandings can often have dramatic legal consequences. During the Australia war crimes trials, for example, vital testimony was confounded by the interpreter's unwillingness to depart from a mythical ideal of word-for-word literal interpreting (Stern,1995).

So keen have interpreters been on the new role as 'handmaidens' to lawyers, that they have colluded in the charade of making the untranslatable appear comprehensible to NESB participants in legal proceedings. For example, despite the linguistic and cultural inappropriateness of many common law rituals, interpreters continue to uncritically participate in the ritual administration of the oath to witnesses and the recording of the plea by defendants in criminal cases. We know that the arcane language of the oath is almost impossible to translate linguistically and culturally. Likewise, the seemingly straightforward question asked of defendants at the beginning of criminal proceedings, 'How do you plead, guilty or not guilty' is an abbreviation of a complex tenet of common law legal ideology: the right of a criminal defendant to put the Crown to its proof. Contrary to the apparent wording, the plea is not an enquiry about innocence nor an invitation for the defendant to confess his guilt. Most defendants are unaware of the ideological significance of the oath and the plea. In the case of a NESB defendant however, the interpreter is used to elicit compliance with an incomprehensible (and in some case untranslatable) cultural formality. An astute profession would have challenged the inappropriateness of the dominant profession's jurisdictional domain. Instead, interpreters have sought to win respect from the dominant profession by accepting total subordination.

The explanation for this passive subservience of interpreters to a dominant professional like law is understandable. The reality is that interpreting is weak and has a very limited power base from which to assert its claim for professional recognition. The interpreting profession faces severe industrial disadvantages in organising itself. Interpreters eke out a precarious livelihood contingent upon the vagaries of demography and government immigration policy.

Paradoxically, the interpreters in greatest demand are those able to assist with newly arrived linguistic communities. Interpreters with the greatest bargaining power are not necessarily the most skilled nor are they in a position to assert their professional claims.

For other long-established language groups, interpreters are contract workers competing for limited work. Interpreters vie for a contracting volume of poorly-remunerated work opportunities to sustain themselves and their families. Current government policy exacerbates the competitiveness. Privatisation of necessary services such as interpreting means that there is no industrial base from which interpreters can press their claims. There is little prospect of cooperative endeavour under these kinds of conditions. Nor, in a political climate which promotes individual contracts of employment is there much hope for effective collective bargaining. Major service providers are effectively small business operators who have a vested interest in keeping interpreters rates low. The net effect is that ambitious bilingual people leave the profession. By and large, it is women who remain interpreters sacrificing appropriate pay and conditions for a more flexible work regime so that they can discharge pressing family commitments. Here, gender and ethnicity combine to keep interpreting as, at best, a subordinate profession.

As an ethical ideal for the performance of their work, the requirement that interpreters be 'neutral' is unobjectionable. Interpreters should not confuse their role with that of 'advocate'. The newly emerging professional interpreter quite rightly assiduously avoids being seen as in any way partisan. While engaged in the business of facilitating communication, interpreters have two clients whom they must serve without discrimination - the English speaker and the NESB person. This ethical standard of conduct though, is quite distinct from, and should not be confused with, the industrial needs of the interpreting profession as a whole. Successful dominant professions have a keen sense of their clients base albeit disguised as an altruistic concern for the greater good. NESB people, not lawyers and other professions, are the proper target group for the maintenance and extension of interpreters' professional status.

Ultimate Altruism

No one doubts that lawyers are business people. They serve their clients and their professional ethos evolved to ensure that they deliver the highest level of service to the client who foots the bill. But the self-interest of the legal system was marketed in quite a different way. In maximising their clients' interests, lawyers reason, they also serve the greater good of the community which has a stake in ensuring that justice is properly administered and dispensed to all citizens. Lawyers' ethical obligations, they argue, extend beyond their clients to the court and the law itself. Interpreters, who vie with lawyers for the title of the 'second oldest profession in the world', have been less crafty in mounting their claim for public legitimacy.

The work of interpreters is dependent upon NESBs and the attitudes of government to them. Many things can affect interpreters, for example, changes to immigration policy and varying attitudes to multiculturalism and multilingualism in Australian society. The fact is, without respect for the needs of NESB people, the interpreting profession would disappear. And yet, the interpreting profession has resisted a frank acknowledgment of their economic and political power base. It has shied away from its inevitable 'ethnic roots'. This is a kind of reaction formation in which the highest professional ethos appears to be obliviousness to the needs and vulnerabilities of your main client group. Yet, the political fate of interpreting is intertwined with ethnic and linguistic diversity. The interpreting profession needs to be vigilant and identify, and wherever possible, expand the definition of need in order to effectively service this community.

The main clients of interpreters can be defined even more specifically than NESB people. In one survey of TIS (Telephone Interpreter Service) clients, 75 per cent were women seeking assistance with welfare, social service, domestic violence and medical or legal problems. (National Agenda for Women, 1990, p. 61). Gender and ethnicity issues combine — women are less likely to be proficient in English than NESB men (McRobbie & Jupp, 1993) and their vulnerable status is reflected in their need for a range of health and welfare benefits and services. The gender blindness of the interpreting profession is somewhat surprising given that women are both the major providers and recipients of interpreting services. McRobbie and Jupp in their *The Women and Language Services Report (1993)* conclude rhetorically that it might make more sense to see interpreting as a women's service with NESB men 'added on' as a 'minority'. The sociological literature has long documented the relative weakness of 'female' professions - if interpreting is largely a 'female' service provided to NESB women, then it is easier to explain its subordinate status. It is unlikely that perpetuating the myth of the neutral detached 'conduit' profession' will rectify the problem for the interpreting profession and their main client group.

Service providers have continued to document the way in which apparent 'gender neutrality' has impeded their capacity to provide high quality service to their women clients. Mary Pardy in her report, *Speaking Of Speaking: Experiences of Women and Interpreting* (1995) found that the consistent complaints included the lack of availability of female interpreters; the inconsistent quality/competence of interpreters who are often unfamiliar with issues affecting women in these settings, and the lack of training and professional development opportunities available to interpreters working in sensitive and crisis situations. A focussed profession would seize the opportunity for sub-specialisation as a vehicle for expanding services and enhancing professional status. This has been one of the main strategies adopted by dominant professions such as law and medicine.

Prescriptions for Professionalisation

The cynical reading of an argument that interpreting should become politicised is that professionalisation demands a more self-consciously self interested stance. To date, interpreting as a profession has remained somewhat more idealistic and naive about its ambitions. It has focused on a rather old-fashioned model of the theory of professionalisation based on 'traits' or 'characteristics' which distinguish a mere occupational grouping from a 'profession'. Traditionally, these included,

> formal education and entry requirements; a monopoly over an esoteric body of knowledge and associated skills; autonomy over the terms and conditions of practice; collegial authority; a code of ethics and commitment to a service ideal (Roach Anleu, 1992, p. 24).

Thus the main interpreter peak organisations have focussed on developing the trappings of professionalism such as accreditation and other standards at the expense of more direct industrial/political action. They hope that by attending to the former the much sought after grail of professional status will be conferred. This reasoning misreads the historical pattern of the development of professions.

Recent critiques of professionalisation have argued that traits are manipulated in order to reinforce a private economic monopoly. Codes of ethics, for example, are merely a technique for excluding unwanted or undesirable practitioners. Influential sociological work sees professionalisation as a product of the perennial battle among occupational groupings for a 'heartland jurisdiction', that is, legal and social control over occupational tasks (Abbott, 1988, p. 71). The real indicia of professionalisation then, are not formal institutional trappings nor professional ideology but the extent to which identified members can exercise independence and control over the definition and performance of their tasks.

In accepting the legal profession's conception of their role as 'conduit', the interpreting profession has done itself a serious disservice. It has allowed the level of skill and discretionary judgment exercised by interpreters to be minimised. More importantly, it has locked itself into a dependent relationship with law. Lawyers now control the definition and performance of the work done by interpreters. Not only has the profession been rendered poorer for this, but NESB people, especially NESB women have been left even more vulnerable.

The female interpreter who objected to her 'neutral' status as a conduit being compromised was probably wrong. A blanket rule cannot be the basis for the exercise of professional judgment. In pursuing a personal agenda the interpreter lost sight of the quintessential requirement of true professionalism-the need to maintain a client perspective. Most of the time this happens to coincide with professional self interest.

Interpreters have been too willing to listen to lawyers. They would do better to watch and learn the skills which lawyers have relied upon to maintain and enhance their position as a dominant position as a dominant profession. Interpreters need to actively engage with the impact of race/ethnicity, class and gender on its work practices and on its professional development.

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Translating *The Light of the Capital*

Greg Lockhart

Introduction.

Last year when I was in Hanoi, I attended a cocktail party at the Australian embassy, where a lady said to me: "Translating must be such a big responsibility'. My answer was: "Yes, it is a responsibility, but it's one like having a baby; it's something you just do or you don't.' The reason I used the birth metaphor in this way was that I wanted to convey an essential paradox of translation: that as well as being an all important process, it is, like other great creative acts, also something ordinary.

This paradox is reflected in the position of the translator, who, I would further say, is a creature of the greatest and smallest importance. When it comes to fame and fortune we all know that the translator's status is decidedly inferior to that of the author. Everyone knows, for example, that García Márquez wrote *One Hundred Years of Solitude*, but few know that Gregory Rabassa is the English language translator of that work, or that Nguyễn Trung Đức is its Vietnamese translator. Nevertheless, a sign of the poor, anonymous translator's great importance is that he is someone in perpetual demand. If translators did not exist, few of us could ever have read Goethe, Marx, Baudelaire, Lu Shun, Pramoedya, Mishima Yukio, Albert Camus, Umberto Eco, as well as García Márquez. The list, like the process of translation itself, is endless. Moreover it indicates the crucial role that translators play in the integration of global culture.

To the extent that global culture is indeed literary, a distinction between literary and other translation will then be helpful. I would thus propose that literary translation is not primarily about conveying the *information* which a politician, a business person, or a lawyer might need; it is about re-telling a *story*. Unlike *information*, which has a limited shelf life, a *story* endures, because its essence is transmitted by a complex interplay of meaning, rhythm and syntax, and, therefore, I would say, by the beauty or form of its emotional effect. Literary translation is thus more subjective and can be freer than non-literary translation, although, of course, in practice, the two kinds overlap. In any event, the distinction helps me to clarify the point that, like the authors they translate, literary translators must be writers; yet, both more and less than this, they must be writers of a special kind.

My definition of a perfect translator would be someone with a capacity for simultaneous imitation and creation, who, after reading the author's text could match in his own language the author's ability to express himself in his. Of course, this exact match can never exist, if only because no two people are identical and no two languages are the same. Yet the inevitable difference between any two languages does not necessarily mean that the possibilities for interpretation of a text are as limitless, as some critical theory argues.

To solicit the attention of readers, texts must be connected with actual events in the world. Consequently, I disagree with the argument that, since all readings are misreadings, no one reading is better than another and that, therefore, all readings, potentially limitless in number, are equally misrepresentations. Nevertheless, since no two languages are the same, it is still reasonable to argue that the act of interpretation itself changes the original text, and this justifies the widely held view that to translate is to betray.

Yet if to translate is to do such a fearful thing, one can equally say, as Anthony Burgess (1994) does in his novel about Christopher Marlow, the English Elizabethan dramatist and spy, treason and loyalty finally come down to the same thing. Put in other way, one most effectively betrays what one loves. I am proposing, therefore, that what motivates translation is that translators feel passionately enough about their originals to want to give re-birth to them. Indeed, what my original use of the birth metaphor suggests is that the spontaneous human need to communicate across difference —linguistic and cultural— is so overwhelming as to produce what is sometimes described as the translatability of texts.

Now here you would be right to sense that what I have in the back of my mind are the ideas of Walter Benjamin (1969), whose famous 1923 essay, 'The Task of the Translator', has influenced most contemporary theories of translation, including Derrida's. Indeed, Benjamin's major contribution to the philosophy of translation was to displace the old Babel myth of there having been an original, unified language that led to the conclusion that translation involved the transfer of meaning from some original source. As I have written elsewhere:

> For Benjamin the essential thing about all languages is their difference. The linguistic identity of an original text and a translation of it does not then depend on some essential quality of language. Rather the essential lies in the 'translatability' of the text and the 'activity ' of translating it. What Benjamin calls the 'pure language' is then released by the translator in the translation where it marks the sameness of languages while allowing for their differences. As Benjamin put it: 'It is the task of the translator to release in his own language that pure language which is under the spell of another, to liberate the language imprisoned in a work in his re-creation of that work.' In this view, 'pure language' must be *the* language inhering in *a* language which cannot itself be translated, and translation must then serve the purpose of 'expressing the central reciprocal relationship between languages' (Lockhard, 1992).

Here the sense Benjamin gives us is that languages are 'reciprocal' in what they want to express. This leads to Derrida's proposition that translation is inscribed in a double mind -or double bind- in which texts are both translatable and untranslatable.

> Any sign system (i. e. any language) can always in principle be deciphered, that is, translated into other sign systems (other languages). Consequently, sign systems have a common logic, a potential single language of languages which, of course, can never become a single concrete language, one of the languages. But the text, as distinct from the language as a system of means, can never be completely translated, for there is no potential single text of texts (Bakhtin, 1986, pp. 106-107).

The event of the life of the text, that is, its true essence, always develops *on the boundary between two consciousnesses, two subjects*. Such a view also highlights the point that, ideally, translation is a potentially endless process. Therefore, the importance of Benjamin's stress on the 'translatability' of the text is that it presupposes a pragmatic use of language: it makes us realize that translation has no end, only ends which are practical, contextual, political-cultural.

Such, then, is the pragmatic understanding of translation which brought me to *The Light of the Capital*, a book containing three Vietnamese stories from the 1930s in an English translation by my wife, Monique Lockhart, and me. To develop my sense of the way this translation worked, therefore, I will describe the politics and ethics of it. As we will see, these aspects of translation do not necessarily operate at the same practical level. And yet both highlight the translators need for a pragmatic use of language.

Politics.

By the politics of translation I mean the interplay of complex interests that lie beyond any idea of the creative inclinations of the author or translator. No doubt such inclinations are of primary importance. Yet we should also be aware that literary translation involves a powerful combination of political motives and commercial interests, as well as the aesthetic commitments they mesh with. It is, then, the interests that bind an author's text to a translator, a translation to a publishing house, and, finally, the published product to the book market that I will touch on now.

With respect to *The Light of the Capital*, the initial impulse for the work came when Oxford University Press (OUP) in Kuala Lumpur wrote to see if I could produce a certain kind of book. This was one that would respond to an existing demand for translations that give English readers an inside view of Vietnam. Part of the reason for this demand clearly stems from Western fascination with a virtually unknown country which had such a dramatic effect on the world during the Vietnam War. More complexly, however, this fascination coincided in the mid-1980s with a sudden supply of translatable texts.

Since around 1986, it is indeed clear that Vietnamese literature has, with

some resistance from the old revolutionary guard, turned away from the romantic internationalism of the revolutionary period, and embraced more liberal interests in free markets and individual expression. In my view, this is what drives the so-called renovation agenda of writers, including Nguyễn Khải, Dương Thu Hương, Nguyễn Huy Thiệp, Phạm Thị, Hoài, Phan Thị, Vàng Anh, Bảo, Ninh, Lê Minh Khuê and others. Just as important for the purpose of translation, however, is that this new post-war liberalism has made Vietnamese literature politically as well as aesthetically accessible to various Western language translators, and, then, Western language readers have found their translations accessible (F. Jameson, 1977). Before coming to the political-economy of such accessibility, therefore, I will explain the inclusion of Monique and me among the various translators.

I am a native speaker of English, and I have had an interest in literature and been writing for much of my life. In the 1970s a strong interest in the Vietnam War threw me into Vietnamese studies. I have thus read Vietnamese books for many years, and have spoken Vietnamese to some extent, especially since I went to Vietnam to work at Hanoi University and studied in the Vietnamese Faculty for six months in 1989. At that time, I met many Vietnamese literary scholars and writers, including Nguyễn Huy Thiệp, whose work I translated in 1990, and OUP published in 1992 under the title *The General Retires*. After the wide attention this book received from both Vietnamese critics and English readers, OUP then wrote to me, as I have indicated they did.

Meanwhile, Monique is a native Vietnamese speaker, who came to Sydney in 1975 for further study in the teaching of English as a second language —just before Saigon fell. Since then she has continued to teach English in Australia, and most recently has been involved in research into Vietnamese literature. It thus seemed to us that the advantage of a co-translation, would be the combination of the cultural awareness and literary effect which our backgrounds might suggest. The wider point about the skills and experience we might bring to the task, however, is the way our essentially liberal preoccupations enmeshed our interests with those of OUP in Kuala Lumpur and the renovation agenda in Vietnam. The best way to demonstrate this meshing is to mention our selection of texts.

The Preface to *The Light of the Capital* begins: "Today, Hanoi is developing rapidly. Yet it has developed rapidly before and so contains the interplay of past and present which has shaped this book." In other words, our assumption was that English language readers would be interested in a historical and literary perspective on an issue that concerns people greatly in Vietnam today: urban development that is financed overwhelmingly by foreign capital. Because of the four decades of urban stagnation that occurred between about 1945 and 1985 when the country was preoccupied with revolution and war, the only local precedent which people then had for thinking about urban growth was the now largely forgotten colonial era. And so it seemed reasonable to revive certain texts from this period; ones that were sufficiently fa-

mous —then as now— to be described as 'modern classics'.

Our attention was thus drawn to certain first person 'I' narratives that were radically new when they were first published in the 1930s. Moreover, after many years of neglect in Hanoi in the revolutionary period, and not a great deal more attention to them in Saigon in the same years, these 'I' narratives have all been republished recently in Hanoi. Their textuality thus reminds us of something that has been largely forgotten since the Communist Party came to power in 1945: that the democratic construction of the individual with freedom and human rights was, in Vietnam, originally a part of the construction of the modern city. In other words, the texts we selected highlight the point that, after forty years of urban stagnation, the current impulse for urban development has in fact coincided with a revival of the neo-liberal ideology that I have stressed the renovation writers support.

The first two texts which appear in *The Light of the Capital* are thus works of socially conscious reportage that I first read in new editions that were being published around the time I was at the university in Hanoi in 1989. These were Tam Lang's seminal work 'I Pulled a Rickshaw', which was originally written in 1932 and first published in 1935, and Vũ Trọng Phụng's highly popular contribution, 'Household Servants' of 1936. The third work is one we came across later: Nguyễn Hồng's 'Days of Childhood' of 1938. It is usually regarded as the first modern Vietnamese autobiography, and it provides a highly literary account of the breakdown of the traditional family system in modern times. As it turned out, therefore, *The Light of the Capital* finally gelled as a work of literary translation and historical retrieval that cannot be separated from the burning issues in Vietnam today: urban development and the associated political and social change.

But, then, even though I think the relevance of our work is clear, I must add that, as a work of translation, its political-cultural impact is largely indirect. Clearly, we have not translated Vietnamese texts into English for Vietnamese readers. Yet we know that, no matter how remote it may be, our work as translators is not without some reverberation in Vietnam. For as Vietnamese works translated into foreign languages influence the attitudes of foreign readers towards Vietnam, they tend to precipitate the changing global political environment in which Vietnamese then view their own position in the world. I am therefore saying that, in the political economy of culture, our translations are part of the process of global integration that both Vietnam and Australia are currently experiencing in our region. And to conclude this point I can do no better than emphasise that *The Light of the Capital* consists of Australian translations of Vietnamese texts published by Malaysian and Singaporean branches of an English publishing house.

Ethics.

To come now to the ethics of translation, I will shift from the politics of selection and publication to the myriad decisions a translator must make at

the level of language. As I will hint at the end of this talk, it is possible to link the politics and ethics of translation at these levels. However, to establish a strong link between the two would require a much longer theoretical discursion than I have time for in this talk. Consequently, I will more simply approach the ethics of practical translation by offering some concrete examples of how, in translating *The Light of the Capital*, we approached the challenging task of turning one language into another.

The first example concerns the phrase 'Household Servants', which is our English rendering of the Vietnamese title of the second story in the book by Vũ Trọng Phụng. In fact, our rendering is only a pale reflection of the original title, which is 'Cơm thầy, cơm cô'. A literal, surface translation of this title could be 'Rice of the Master, Rice of the Mistress'. What it suggests in Vietnamese is the humiliating servitude, indeed, the semi-slavery of those powerless people who worked in the houses of the rich in Hanoi between the world wars, and survived on what scraps of food were left over after meals. One feels the mocking bitterness of those who feel subjected by fate, but nevertheless maintain sufficient self respect to assert that they deserve better treatment by the really not so high and mighty. However, if we rendered the title as something like 'Humiliating Servitude' or, more simply, as we did in an early draft, 'Servitude', we would sacrifice both the sharp irony of the original and the immediate sense it provides that the story is indeed about household servants. Hence, no matter how long we stayed in time's tunnel, the concentration of meaning and literary effects in this phrase are untranslatable in English.

Now to introduce a sense of the ethical implications of this impossible situation, all we could do was take the time to do our best —before we moved on. Such is the practical imperative of translation. Of course, we should not forget the intuitive, often instant translation it was possible to make of most constructions and terms. Yet the main mass of relatively unproblematic transpositions that comprised the bulk of the work never completely absolved us, or at least me, from the feeling that we can only do our best.

To take a relatively unproblematic example of how this worked, there are various reasons why, 'Những ngày thơ ấu', the Vietnamese title of Nguyên Hồng's autobiography, might be rendered as 'Memories of Childhood' or 'Childhood Memories' or 'Days of Childhood'. Also if one realizes that when Nguyên Hồng wrote the work he was influenced by Maxim Gorky's autobiography 'My Childhood', this important piece of contextual information may well lead one to consider that option. The crucial point in our minds, however, was that Nguyên Hồng's use of the term 'Những ngày' or 'Days' in the title of his autobiography is deliberate: one would normally expect to find something like 'kỷ niệm' or 'Memories' in such a Vietnamese title —as 'kỷ niệm thời thơ ấu'. After carefully paying attention to our options, we thus chose 'Days of Childhood' because it maintained the surface meaning of the words, and, yet,

paradoxically, was not a literal translation. In other words, we felt that our choice was probably more sensitive than the other options to the main pre-condition for the autobiography: the ongoing effect of Nguyên Hông's childhood traumas in his later life.

It should thus be clear that even where the translation of the text seems relatively unproblematic it is almost always complex, and any assumption of there being a single 'correct' reading is naive. As I have stressed, I do not think we should overstress limitless interpretative possibilities of texts. Yet it is still certain that any translator coming after us, including ourselves, would offer a quite different version of the same texts. As the structuralists teach us, signification is always potentially plural. There is no original meaning but rather a potentially conflictual interplay of original meanings which implicate one in another.

And so, if in his love for the Other, the translator can do no better than his best with an interplay of options, the main ethical question posed by the act of practical translation arises: on what can the translator bestow the need to be faithful that his love demands? It can't be the original text, which he must betray. The answer can only be on the translator's own reading of the text - which he reads and re-reads because, as we have seen, the itch to do so gets under his skin. In other words, a faithful translator is one who is faithful to himself — and it is at this point that I think the ethics of translation tends to link up with the politics of it as I have defined it.

For when a faithful translator becomes involved in translating a literary text there is a sense in which he comes to a point where he no longer knows whose story he is working on. And what I have in mind here is not merely a jealous act of appropriation. The point is that once the translator has the original interplay of meanings under his skin, the original text has already changed -not because of anything relevant to accuracy or style- but again because of time. Walter Benjamin's great insight was indeed that the act of translation and, thus, the translatability of the text depends on the changing historical contexts -and thus politics- in which an original text is first written and, then, finally, for some worldly reason that has ethical as well as political dimensions, is selected by a translator for translation.

Meanwhile, more generally, as the original text changes in the time it takes the translator to find and translate it, we can now appreciate the fundamental condition for translation is that the original text has an after-life. This is why a faithful translator tends to feel that any story he is translating is his as much as the author's, and why he must also be a writer: he is actually involved in the act of its recreation. I am thus back to my original birth metaphor, although I would now have to speak of re-birth. Also any talk of the re-creation and after-life of the text must imply a link between translation and death. Without the birth and death of the original text there could be no thought of an after-life. Therefore, what I hope I have suggested to you today is that when we talk

about the translatability of a text we are talking about nothing less than an activity which is a part of the cycle of life.

Conclusion: *The Light of the Capital*

But this is not the note on which I want to end, because as life passes so its context continually changes. In fact, this is the underlying point of the analytical introductory essay in our book. In other words, as it attempts to depict the different contexts in which the stories were originally written and later translated by us, this essay attempts to explain how the original stories and the translations are linked in the changing contexts of time. However, to sum up the way our translations work in a far shorter space of time, I can do no better than indicate the double contexts in which *The Light of the Capital* became the title of the book.

The Vietnamese expression which we have rendered in this way is *ánh sáng của kinh thành*, and it appears as a chapter heading in Vũ Trọng Phụng's reportage, 'Household Servants'. But, then, something we were not prepared for when we first saw this phrase, was that Vũ Trọng Phụng's use of it was influenced by his interest in modern film. Indeed, *ánh sáng của kinh thành* happens to be Vũ Trọng Phụng's Vietnamese rendering of the title of Charlie Chaplin's world famous 1931 film, 'City Lights.' Internal evidence towards the end of 'Household Servants' and other research I had been doing showed this. Moreover anyone who knows both Chaplin's film and Vũ Tr÷ng Phøng's reportage will realize that both works are concerned with the same dark irony of modern development.

As I explain in the introduction, the construction of early modern Hanoi between 1884 and 1939 was accompanied by a sudden technological transformation of unprecedented scope. The infrastructure for this venture included the installation of printing presses and cinema as well as the modern post office, streets with residential housing, and electric lights. And so as the colonial city began to link Vietnamese with global culture, Vũ Trọng Phụng's use of the phrase *ánh sáng của kinh thành* was not meant to highlight the glory of the capital. It was meant to highlight the poverty of the city 's underclasses; those wretched people who had been attracted to the city from the countryside by the dazzle of electric lights, but then found themselves being exploited or curled up starving beside foul gutters in Hanoi.

In one way or another, then, this dark Chaplinesque irony is a dominant theme in all our stories. Yet as we concluded that Vũ Trọng Phụng's ironic handling of *ánh sáng của kinh thành* would make a suitable title for a book that contained all our three stories, we also realized that we could not simply turn it back into English as 'City Lights'. The politics of our translation made it necessary to account for the modern transformation of Hanoi into a cradle of misery for low class coolies, domestics, wet-nurses, maids, and orphans in the colonial period. It is indeed this dark side of development which makes the

stories so gripping today. Yet it was also important to realise that the Hanoi Tam Lang, Vũ Trọng Phụng and Nguyên Hồng were describing was very remote from any conception of a 'city' that Chaplin had in mind. Therefore, the ethics as well as the politics of our translations were at work in *The Light of the Capital*, the phrase that became the title of our book.

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Translation Shifts and Their Implications

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Introduction

Translation can be defined as 'the replacement of textual material in one language (SL) by equivalent textual material in another language (TL)' (Catford, 1965, p. 20). There are two important key terms in the definition: 'textual' and 'equivalence'.

The term 'textual' means that the input for the translation process is 'text', rather than individual sentences. A text is a unit of language in use. It is best regarded as a semantic unit, which is encoded in sentences (Halliday & Hasan, 1976, p. 1). Although, when written down, a text looks as though it comprises words and sentences, it is more significant as a realization of meaning. Of course the meanings have to be coded in words and structures in order to be communicated. In Larson's terms (1984, p. 31), these words and structures are simply the 'forms' or the 'surface structure' of a language, as opposed to 'meaning'.

In translation, the 'forms' of the source language (SL) have to be 'replaced' by the forms of the target language (TL). Yet the replacement is done by way of semantic analysis. What translators aim to hold constant in translation is meaning rather than form.

In order to find the meaning expressed, a translator needs to analyse not only the forms of the lexicogrammar of the SL text, but also the aspects of meaning embodied in the forms. He then needs to reconstruct using appropriate lexicogrammatical structures in the TL text.

Form and meaning can be realized in different forms. Surface forms such as 'John gives the rice to Susan' and 'Susan was given the rice by John' have the same pragmatic meaning but different forms, while 'John gives the rice to Susan' and 'John was given the rice by Susan' are closer in form but different in meaning.

Even more so in translation, form and meaning in the SL and TL texts rarely correspond. For example, the word 'rice' in English would not exactly match the components or variables of mean[illegible] pressed in the words nasi 'cooked rice' or beras 'uncooked husked [illegible] *padi* 'uncooked unhusked rice' in

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Bahasa Indonesia (henceforth BI). Thus while the meaning components of '(un)cooked' and (un)husked' seem to be packaged together into the English form, it is not so with BI. The word *rice* is underdifferentiated in English relative to BI, or it is overdifferentiated in BI relative to English (Weinreich, 1963). So in the process of translating from BI into English or vice versa, there are often no simple equivalents of form and meaning, and mismatches (or 'translation shift' in Catford's term (1965) such as shown above would be bound to occur.

Translation shifts also occur when there is no formal correspondent to the syntactic item to be translated. Although both English and Indonesian grammars operate in the five ranks of 'sentence', 'clause', 'group/phrase', 'word' and 'morpheme', translation may require moving up and down the rank scale and cause different kinds of (syntactic) shifts, e.g. from a post-modifier in BI into an adjective or adjectival phrase in English.

In translation, therefore, there may be no simple way of replacing an SL item with a TL item. The SL and the TL items rarely have the same meaning in the full linguistic and pragmatic sense, though they can function in the same communicative situation and express the same purpose. So, SL and TL texts items can be translation equivalents when they are interchangeable in a given situation (Catford, 1965, p. 49).

At this point, we come to the second important key term in the definition of translation quoted at the beginning of this introduction, i.e. the term 'equivalence'. The central problem of translation practice is finding translation equivalents for a text in a given context. The problem is readily demonstrated through the example given above, concerning the word rice. The Indonesian word *nasi* will provide a translation equivalent for the English word 'rice' when it is used in the context of having dinner, but not in an agricultural harvest context. TL equivalents have to be sought not simply in terms of the 'sameness of meaning', but in terms of the greatest possible overlap of situational range. Catford further adds that the general conditions for translation equivalence are: 'translation equivalence occurs when an SL and a TL text or item are relatable to (at least some of) the same features of situation substance' (1965, p. 50). Of major importance in this general statement of the conditions governing translation is the implication that, for translation equivalence to occur, both texts must be relatable to functionally relevant features of the communication situation (Catford, 1965, p. 94).

Relating all the features of substance proposed by Catford is demanding and often problematic when we come to seeking translation equivalence throughout the text, e.g. how many features of the text have to be related to ensure translation equivalence? Do different text types embody a characteristic set of situational features, so that some of the conditions of equivalence can be generalized? (narrative, for example, would have different situational features from hortatory discourse). These questions will

be discussed below, in a wider concept of shifts. Then the whole issue of shifts will be discussed in the light of translation equivalence, its conditions, and its implications for translator training.

Translation Shifts Revisited: Shifts at Lower Level

While Catford (1965) uses the term shift, Larson (1984) uses the term mismatch to refer to the same notion. According to Catford there are two kinds of shifts: level shifts and category shifts. (In the following, (a) all Indonesian examples are presented with glosses in italics; (b) the → sign means 'shifts into').

1. Level shifts mean that an SL item at one linguistic level has a TL translation equivalent at a different level, with the most common being those from grammar to lexis, for example:

I wrote a letter →	Saya telah menulis surat
	I already write letter
(grammatical) →	(lexical)

2. Category shifts are those where equivalence is sought at a different category of structure, unit, word class, or system, eg.:

thinking person →	orang yang berpikir	
	person who think	
(adj) (noun) →	(noun)	(clause)

Apart from the above syntactic shifts, Vinay and Darbelnet (1975) also introduces the notion of shift of meaning, which they term 'modulation'. They view 'modulation' as one of the translation procedures. There are two kinds of modulation:

1. A shift of point of view, i. e. when the modulation produces a TL version with a different semantic point of view, e.g.

I don't think that it is good
(negation is packaged in the introducing verb 'think')
→ Saya kira itu tidak baik (negation is packaged in the clause
I think it/that not good following the introducing verb
'think')

2. Shifts of nuances of meaning, i. e. when the modulation produces a TL element with wider or narrower nuances of meaning, e.g the word 'rice' in the following:

Indonesia exports rice →	Indonesia mengekspor beras
	Indonesia export husked, uncooked rice
(general)→	(specific)

All of these shifts are unavoidable cases in translation, which are dictated by the language system. For ease of reference, we shall call these obligatory shifts. However, there are cases where a translator makes a free choice of

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shifts, which we shall term optional shifts. For example:

Man is a thinking animal → Manusia→adalah makhluk yang berpikir
human being is/be creature who thinks

In this case, the (optional) shift from 'animal' (specific) into 'makhluk' (generic) is due to the translator's discretion. Such shifts, when occurring at the lower level elements of word, clause, sentence, morpheme, may not result in other changes of higher order. However, when similar optional shifts occur throughout the text, further shifts may occur and the problem of equivalence may arise, thus having different implications for translator training. This is particularly the case when the shifts affect the prominent parts of a discourse.

Optional Shifts at Higher Level and the Question of Equivalence

Optional shifts may occur in the entire text and cause a mismatch of genre. In the following we will examine a SL text in Bahasa Indonesia, taken from a rather official periodical issued by the Indonesian Association of NSW in cooperation with the Indonesian Consulate General in Sydney. It is a carefully judged text, with an authority and weight behind it. The examination of the SL text will be focused on: (1) the global semantic organization of the SL text; (2) the important features of the SL text and the ways these features are expressed in the lexicogrammar; (3) the main patterns of cohesion in the text. We will then examine some translated (English) versions, in which translation shifts are pinpointed. The Indonesian text will be presented with glosses in italics before a translation is given (Please refer also to the notes below the SL text).

SL Text (Indonesian)

1 Masalah hubungan Indonesia dengan Australia disampaikan oleh *problem relation Indonesia with Australia DI-deliver-KAN by* bapak August Marpaung *father August Marpaung*

2 Dikemukakan bahwa hubungan antara pemerintah Indonesia dan *DI-put forward-KAN that relation between government Indonesia and* pemerintah Australia pada umumnya dianggap cukup baik dan *government Australia in general DI-consider enough good and* banyak mengalami perkembangan yang berarti akhir-akhir ini *much NG-experience development which meaningful recently*

3 Namun diingatkan agar masyarakat Indonesia selalu waspada terhadap *however DI-remind-KAN that community Indonesia always vigilant towards* informasi yang disebarluaskan pers Australia *information which DI-disseminate-KAN press Australia*

4 Selanjutnya dijelaskan bahwa dalam situasi resesi dunia seperti *then DI-explain-KAN that in situation recession world like* sekarang ini pembangunan di segala bidang mengalami hambatan *now this development in all sector NG-experience obstacle*

5 Namun secara keseluruhan pembangunan Indonesia yang dikenal *however in whole*

development Indonesia which DI-know dengan PELITA dianggap cukup berhasil *as PELITA Di-consider enough successful*

("Bulletin', Indonesia Association, Vol.1, No.4, 1986)

Notes:

1 Numbers indicate sentence number.

2 Underlining indicates sentence topics.

3 /DI-/ is a verbal prefix for indicating verbal foregrounding and /NG-/ is a homorganic nasal prefix for indicating backgrounding.

4 PELITA stands for Pembangunan Lima Tahun (the five-year development plan).

5 /-KAN/ indicates a tie with an object position, but not necessarily benefactive.

The SL text was written as a report of statements concerning certain government affairs, foreign and internal. The foreign affairs, which concern the relations between Indonesia and Australia, are expressed in sentences 1,2 and 3. The internal affairs, which are related to the development of the country, are expressed in sentences 4 and 5. These affairs form two semantic groupings in the text, and these groupings are related to each other through a conjunctive relation with selanjutnya 'next'.

That the text is a report is evident in BI by the dominance of the verbs with /DI-/ prefix in the sentences of the text. There are two basic functions of /DI-/ clauses here (there are of course other functions when they occur in other text types). In this text they function as: (i) true passives in sentences (1) and (5); (ii) verbal foregrounding in sentences (2) and (4). The true passive is evidenced by the presence of the patient subject, e.g. 'Masalah hubungan ... Australia' in sentence (1). The verbal foregrounding can be seen from its initial position in sentences (2) to (4) immediately after the conjunctions which must be initial.

In general, the purpose of the use of /DI-/ clauses in this report is to make statements impersonal and to imply an authoritative voice (rather than an expression of personal opinion). The verbal foregrounding (thus making the verbs prominent) is another evidence that the verbs are more prominent than the agents, although the agent is lexically expressed as in the first sentence.

The verbal prominence above is an indication that what was said is more prominent than by whom it was said. In fact, the /DI-/ prefix in sentences (2) to (4) can be interpreted as the proclitic (thus nonprominent) form of dia 'he/she' (Thomas, 1978); as such, it is a case of grammatical subject suppression.

Apart from its functions in the lexicogrammar as explained above, the /DI-/ prefix in the SL text also provides cohesion in (1) to (4), and in the main clause of (5). The cohesion is through a covert co-referentiality to /DI-/ in (1).

Having examined the semantic structure of the SL text, we will examine some TL versions, and the shifts that occur. The first to be examined is TL text A.

TL text A

1 The problem of relation between Indonesia and Australia was presented in speech by Mr.August Marpaung.

2 It explained that in general the relations between the Indonesian and Australian governments have been considered good, and meaningful achievements have been accomplished.

3 But it warned Indonesians to be always vigilant towards the information which is disseminated by the Australian Press.

4 Besides, it explained that in the present situation of world recession, the development in various sectors was slowed down.

5 But in general the Indonesian Development referred to as PELITA had been considered successful.

Notes:

1 Underlining indicates sentence topics (sometimes preceded by conjunctions)

2 Numbers indicate sentences

On comparing the TL text with its original version, it is important to recall that impersonalisation (or subject-suppression) is an important feature in the SL text. Such impersonalisation is expressed in sentences 2 to 4 of the TL text through the use of the impersonal subject 'it'. In sentences 1 and 5, such impersonalisation is expressed through the use of passive sentences, which is also the case in the SL text. We will concentrate on sentences 2 to 4 in the discussion that follows, since they are the ones which show the greatest divergence between Indonesian sentences and their English translations.

On comparing sentences 2 and 4 in the SL and TL versions, we note a case of translation shift in the foregrounded element: a subjectless verb in the SL version is expressed using the dummy subject 'it' in the English version. Such shift is an obligatory phenomenon in such context: unless a verb is imperative in English, it cannot occupy the position of sentence topic (which is normally in the initial position in English).

Apart from this shift, there is also a shift in subtlety or indirectness of expression in the translation. An example of this is at the end of sentence 3. The absence of oleh 'by' following the verb disebarluaskan 'disseminated' in the SL text shows that there is a subtleness of relation between the action of disseminating and the disseminator. Thus although the agent is in the domain of the sentence comment (and is part of the focus of information), the absence of oleh avoids making it focal. Possibly, the purpose of this is to lessen the political burden of such action on the agent, the disseminator of information (compare it with sentence 1, where oleh is present). This subtlety is necessarily lost in the English version, because statements of agency must involve the word 'by'. The presence of the word 'by' in the third sentence of TL text A makes the agent as conspicuous as in the first sentence.

In the translation we have just examined, the shifts were in each case obligatory, necessitated by the grammar of English. Yet in neither case do they alter the overall intention/ purpose of the text. Both SL and TL texts show the characteristic feature of a (speech) report, and the impersonalisation expressed in the original text is rendered in the TL version. In this way, TL text A can be said as, to use Catford's terms, "textually equivalent' to its original version.

A second translation of the same SL text (i.e. TL text B) shows a different interpretation and raises different issues. This TL version contains shifts affecting the prominent elements of the text, which can cause a mismatch of text (sub)type in the translation. Consider the following:

TL text B

1 The problem of relations between Indonesia and Australia is discussed by Mr.August Marpaung.

2 He explains that in general the relations between the Indonesian and Australian governments have been considered good and have proven to be advantageous.

3 But he reminds the Indonesian community to be always vigilant towards the information which is disseminated by the Australian Press.

4 In addition, he explains that in the present situation of world recession, the development in various sectors has been slowed down.

5 But he considers that in general Indonesian Development, through the PELITA program, has been successful.

Notes:

See TL text A

In TL text B we can see certain shifts from the original version: (i) shifts affecting the verbal foregrounding; (ii) shifts of referential meaning in the expression of tenses. The first kind of shift are those affecting the textual prominence. The translator of TL text B has put the agent (Mr. August Marpaung) in the topical position of most of the sentences of the text. The main burden in the translation rests with the pronoun "He' as part of the topic of the sentences. In this way, TL text B is more personal than impersonal; it is more a person-oriented account than a speech-oriented one. The translator has made explicit the subject that was suppressed by the use of /DI-/ in the original. The English version puts the personal figure 'August Marpaung' (rather than his speech) as part of the sentence topic and foregrounds him, rather than as part of the reporting verbs. This is not the case with the TL version.

The above shifts from impersonalisation to personalisation in TL text B are caused by the fact that the translator has made the 'sayer' more prominent than the 'saying'. In this way, we may be inclined to think that TL text B is not really equivalent to the SL text, since it does not fully convey the impersonal intent of the original writer. However, when we look at the lexical rendering

we could still see that TL text B is referentially equivalent, because lexical items are successfully matched. To use Newmark's term (1988, p. 4), the 'truth' of the matter is still rendered. But is it?

Supposing that personalisation is the only kind of shift occurring in TL text B, we could, tentatively at least, have considered TL text B as equivalent to the SL text for the reason that it remains a report. Unfortunately, this is not the only kind of shift occurring in TL text B. It also diverges from the original in the expression of tenses. It is true that BI is unmarked in terms of tense, but the use of /DI-/ indicates that it is perfective (Rafferty, 1982). So the fact that TL text B uses present tenses would suggest a shift, and it would also suggest to the reader that it is NOT a case of a formal report, since a report of this kind would normally be expressed in past tense in English. In this way, the shifts transcend the boundary of the genre. The TL version becomes an expository writing with a perennial relevance. The question that remains is: Is it a case of equivalence? What implications can we have from considering it a translation equivalence? We will explore this further below.

Translation Equivalence and its pedagogic implication for translator training

All of the above phenomena suggest that the conditions of translation equivalence should include both generic maintenance and the exact rendering of referential meaning. The question arising now is: Is TL text B a translation equivalent? This brings us to the long-lost debate concerning equivalence in translation. This notion will be revisited here in relation to the need for distinguishing equivalence from mistranslation, particularly for pedagogic purposes in the early stages of translator training.

When Catford (1965) proposed the term translation shift, his analysis was purely linguistic. He has usefully categorized different type shifts of level, structure, and category, which are all pertinent to the level of lexicogrammar. Then we can refer to other theorists on similar notions.

To some extent, the notion of shifts has also been explored by Blum-Kulka (1986, p. 17) in relation to the shifts of cohesion and coherence in translation. The shifts of cohesion are mainly concerned with the level of explicitness. The shifts of coherence are of two kinds: (a) reader-centred shifts, and (b) text-focused shifts. The shifts in (a) can result in a generic form which is very different from the original (e.g. from 'comedy' into 'tragedy' in literary genres). The shifts in (b) seem to be concerned more with the translator's inability to reexpress the SL text's original meaning.

In her analysis, Blum-Kulka merely proposes those shifts as facts that occur in translation, without further questioning the status of the TL text (containing the shifts) as translation and as translation equivalence. This is also true in the case of shifts which Larson calls "mismatches of discourse structures'

(1984:384), in which she does not indicate whether or not the mismatched TL text is acceptable and justifiable as a translation. So, although both Blum-Kulka and Larson indicate the occurrence of shifts of text type in translation, their notion of shifts is not useful enough for the pedagogic purposes of evaluating translation work in translator training.

Van den Broeck (1986, p. 37) has also explored the notion of translation shifts occurring in the translation of cooking recipes. He bases his exploration on the theory of speech acts, and analyses the generic shifts that occur in terms of the "cultural norms' expressed in the use of recipes. Useful as it is, the analysis has certain drawbacks: (a) what he calls "cultural norms' are hard to prove linguistically (although indicators were given); (b) although his analysis implies insights for translator training, he does not clearly distinguish acceptable shifts from unacceptable ones. What is more, he considers translation and adaptation (where shifts of text type occur) as one and the same. So, like Blum-Kulka, his analysis is not sharp enough in setting limits for adaptation.

As far as varieties of text type in translation are concerned, a notable analysis is one by Reiss (as translated from German into English by Kitron, 1981). Here, Reiss proposes to have different modes and types of translation rather than concentrating on text types. Itself an important proposition, the analysis is not useful for translators for two reasons: (a) Reiss seems to allow any kind of changes (intentional or otherwise) in translation. According to her, the most important questions in translation are: to what end and for whom is the (SL) text translated? Consequently, for her, a translation 'should be adapted to the needs for the new language community' (1981, p. 129). While such general translation guidelines can be useful for professional translators, it is not so for student translators. For one thing, Reiss's concept above can mislead them to think that translation can be a work of creation rather than recreation (of other people's work).

As to Catford, he believes translation equivalence should mean 'textual equivalence', so that texts rather than sentences are translated and compared. However, although Catford's concept of textual equivalence is advantageous, it suffers from the fact that he does not go beyond the sentence in his analysis of equivalence, let alone go beyond individual text types. Moreover, his conditions of equivalence are too abstract to be applicable to a variety of text types (1965, p. 90, as quoted before).

Apart from Catford, Nida (1964), whose work is notable in Bible translation, proposes 'formal equivalence' and 'dynamic equivalence' (rather than just one kind of equivalence) in translation. Useful as it can be for Bible translation, Nida's concept of dynamic equivalence does not do justice to language (i.e. more emphasis is given to the needs of the readers), which is also the case with Reiss's concepts mentioned above.

Other translation theorists have attempted further distinctions of equivalence. Popovic (1976) has categorised four kinds of translation equivalence: linguistic, paradigmatic, stylistic and textual, although stylistic equivalence (which is more of an artistic concept) and textual equivalence seem to overlap. In any case, Popovic's analysis is more in the area of literary translation, and is thus not really suitable for cases of shifts in texts other than the literary one.

In contrast with those above, Holmes (1978) sees equivalence as a search for sameness, and considers it perverse to attempt it. Pretty much in line with this idea is van den Broeck's (1978), who judged differently from the use of the concept of equivalence in translation, which he considers as excessively used.

However different the above views may be, as a work of recreation, translation must provide a point or a concept on which the TL text can be compared to its original version. This point or concept is none other than 'equivalence'. Indeed, equivalence is a much used and abused term in translation theory. But it is important to note here that the antagonistic view towards translation equivalence seems to be caused by the failure to keep in mind that what counts as equivalence is influenced by our theory of language, by what we view as a justifiable translation, and by the model of linguistic description used in the translation process. And, indeed, as Gile (1995) puts it: (Translation) process should become our orientation at the early stage of translation training. He further states that at the later stage of training, the process-oriented approach can be complemented with the product-oriented approach. In this way, beginner translators should be made aware of the procedures involved in the process, as in the phenomenon of translation shifts. Furthermore, they should be made aware of the implications of such procedures in their translation performance.

In this pedagogic context, therefore, translation conditions put forward at the beginning of this section become even more important: that a TL version is an equivalent when it maintains the generic type and when it is an exact rendering of referential meaning. Moreover, as we can see in TL texts A and B, equivalence seems to represent a degree or a continuum: the pertinent question then is not whether a TL version is equivalent, but, rather, how equivalent. Thus a beginner translator cannot too readily exercise optional shifts, which can place his translated version outside of this continuum.

Conclusion

We have discussed at length here that shifts are unavoidable in translation, due to the different systems of the languages involved. These (local or lower level) shifts, which we term 'obligatory shifts' here, do not cause any further shifts, as in the case of TL text A above. As we can see, the shifts occurring are mainly concerned with shifts of interpersonal meaning (or situational mean-

ing in Larson's terms). So in our continuum of equivalence, we can place TL text A closer to the 'most equivalent' point. As to TL text B, however, due to the further generic shift that occurs, we can only judge it as a 'partial lexical translation' rather than as translation equivalence.

The continuum of equivalence would range from 'most equivalent' to 'least equivalent', the 'most equivalent' point being the hardest to achieve in translation, due to the different systems of the languages involved. For this end to occur, the three aspects of meaning (referential, interpersonal, textual) should match. We have seen in TL text A, that it is almost impossible to do so. However, as we have said above, this TL version can be placed in the next point, i.e. equivalent, since it only shifts in the interpersonal meaning of the text.

Having set this parameter up, we can now go back to refining Catford's conditions of equivalence quoted before by adding a further condition: Translation textual equivalence occurs when it maintains the generic type of the text, thus maintaining its referential meaning. By doing so, a translator also maintains the purpose of the text. His translation, then, can be evaluated on this basis as a point of comparison, either with the SL text or with other TL versions for the same SL text.

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'Australia Leads the World!' ... or Does It?

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Nearly a decade ago, Jill Blewett, then doyen of the interpreting and translating educators and one of the leading figures in interpreting and translating in Australia, proclaimed 'a celebration'. She argued passionately that as a result of significant development of interpreting and translating over the previous decade,

> Australia leads the world in the provision of community interpreting and translating services and in the regulation and training of interpreters and translators for that provision... [I]n the culturally pluralist but English language dominated Australia of today, equal access to all services... demands the employment of bilingual professionals or the provision of interpreter/translator services, or both (Blewett 1987, p. 1).

The achievements of Australia can certainly be amply documented, and are most impressive for a country that so recently emerged from a past that was often suspicious of other languages and cultures, fundamentally assimilationist towards immigrants, and dismissive of its indigenous minorities.

In more recent years we have also had a new confirmation of this, in the degree of interest many people from other countries have shown in Australia's efforts in interpreting and translating, often acknowledging that Australia is ahead of 'them'. The Australian contingent that attended the First International Conference on Medical, Legal and Community Interpreting in Canada in 1995 made a strong impression on many, and was able to detail Australian achievements impressively.

Such reactions for people overseas are good for Australia's reputation and, not least, good for raising spirits here in Australia, as those who are involved in interpreting and translating currently seem to face a more hostile environment with threats of cuts and reversals of some previous policies, and with professionalization and proper recognition for practitioners, standards and training still seemingly as difficult as ever.

It is important however to take seriously the question of comparing developments in Australia with those elsewhere in the world in interpreting and translating. Leaving aside the international profession of conference interpret-

ers and technical translators, the kind of language services we have seen develop in Australia seems to be of increasingly greater relevance to other countries now faced with multilingual populations through immigration, other population movements, or the reassertion of indigenous groups and languages. If we can identify where Australia is indeed ahead of the game, then perhaps we can also identify where it can usefully serve as a model to some extent for other situations around the world, and help analyse what local factors need to be addressed to provide relevant interpreting and translating services in different contexts.

However, if indeed many other countries are now faced with and have been addressing similar communication issues in multilingual populations, it is equally valuable to consider where perhaps Australia is not ahead of the game, to look closely at innovations overseas and see if we can learn from them. The author's concern for this question was also motivated by the consideration that the basic structure Blewett identified in 1987 had remained intact, but perhaps little new had arisen in the meantime to complement the wisdom of the past: having achieved one model for language service provision, were we now marking time?

For the past year the author has been working on an Australian Research Council funded project detailing policy developments in interpreting and translating in Australia, and looking at the relevance of Australian experience to other multilingual situations around the world. Through this work I have been able to establish contacts with a number of overseas practitioners, trainers and organizers of language services, and this paper presents some preliminary observations, based largely upon personal communications, about both what Australia has done very well in its own model of language services, and what it could well learn from examples of best practice elsewhere.

The Spectrum of Responses to Interpreting and Translating Needs Internationally

Looking at the provision of interpreting and translating services around the world, it is relatively easy to draw up a near-linear model of language service provision, ranging from those countries that had basically ignored any needs in this area, to those that had set up the most comprehensive structures for interpreting and translating service provision.

		Legalistic	
None	Ad hoc services	Generic language services	Comprehensiveness

Countries where *no* language services are provided are happily becoming fewer. This situation still exists in classic countries of short-term labour immigration or guest-worker situations, though now the countries that could

be identified here would no longer be the oft-cited Germany but more likely the Gulf states or Japan. In these countries, language difference is seen as an entirely individual and peripheral matter. There may well be an interpreting and translating profession, even a strong one, in such situations, but it would see itself as being exclusively concerned with business or other international contacts, and have no involvement in meeting local language needs. Cases where hostile contact situations have developed between mainstream societies and indigenous populations - the case of the Brazilian frontier, for example - may also fit into this category.

In many countries now *ad hoc* services have developed as communication needs are identified as a more persisting issue for public bodies and governments. Attempts are made usually by individual institutions or services - the social security system, perhaps, or individual hospitals or schools - to find go-betweens, who may be expected to fulfil the interpreter role or some other mediating role, and who are used by services in a variety of ways. There is usually no concept of training, no thought of accreditation or registration, but response to an immediate need that involves getting people who speak the two languages to operate in whatever way they are capable and whatever way the service sees fit. As a general rule, those countries of most recent immigration and most recent awareness of their cultural diversity would figure here, but in some cases countries that were able to ignore their language needs seemingly for decades also fit into this category. The United Kingdom until the last decade would probably fit in here, as well as present practices in Belgium, France and now Germany.

The *Legalistic* approach is characterized in the above schema as an optional stage, because in many cases there are no legalistic imperatives of a constitutional-driven or rights-driven kind that will necessitate this step. By the legalistic approach is meant situations such as in the United States where certain rights have now been guaranteed to non-English speakers in dealing with particular public institutions. In this case in relation to interpreting and translating specifically, the courts and governments are mandated to effect this. Thus in the USA rights of non-English speakers in courts have now been enshrined in federal and state Court Interpreters Acts and court interpreting services have been established as a result. There has also been a little of this orientation in countries which may only be at an ad hoc stage of language services generally, but where government for its own policy ends (which may or may not be rights-driven) identifies the legal system as a priority area for interpreters, as in the Danish situation with authorized interpreters mandated under the Administration of Justice Act, or similar provisions in some states of Germany, or long-standing provision of court interpreters in South Africa. On the other hand, this legalistic orientation has had little influence in many other countries, particularly those with a common law tradition or no real history of rights litigation. In Australia or Canada, where

constitutional guarantees of this kind are muted or nonexistent, there has been no explicit prioritizing of court interpreting over language services for other areas of public life. It should be noted finally that in such cases as the USA, this legalistic orientation has not come as part of a broad policy response to interpreting and translating needs, and there may well be poorly developed language services in other sectors - indeed, we find that interpreting and translating services for other areas are still usually at an ad hoc stage, with almost all government interest focusing on court interpreting, even though technically the constitutional rights granted should obtain in all public spheres and services.

The stage of *generic language services* has been reached in various countries where governments have attempted to introduce broader-based language services that make some attempt to cover a variety of public sectors. These services may be differently organized in different places - the UK in recent years has set up a national Register of Public Sector Interpreters, and backed this up with some training and accreditation. The development of Language Line in the UK as a telephone interpreting service also provides another generic service, as is also the case with telephone interpreting in Holland. In Norway, local governments have developed language services for the public sector very rapidly in recent years as Norway has faced unexpected intakes of refugees, and has learnt quickly from Swedish and other models. Canada has set up generic language services usually on a provincial basis.

Comprehensiveness takes us to situations where generic language services are backed by other official and professional attempts to support these services - by training, by accreditation, by having those professionals working with interpreters also trained, and having broad government principles of access established and heeded by public sector and relevant private sector agencies. Australia is clearly towards the Comprehensive end of this spectrum, as Blewett's quote so forcefully argues, and Sweden is possibly the closest other example. Developments in the UK, if they continue at their recent pace may in time achieve this level of comprehensiveness.

In detailing this spectrum, it is not suggested that one stage must inevitably lead to another, and it is also not suggested that different needs may not be well met at various stages before comprehensiveness. While this spectrum gives us a good sense of language service spread, nevertheless other issues remain obscure from a simple linear spectrum - for example, the role of a profession in this whole endeavour. Indeed, most language services, even in the most comprehensive systems, have been established with little regard to professional issues, and it is certainly not the case as we shall see that the countries with the most comprehensive language services have the most developed interpreting and translating profession.

For Australia, it is still a matter of seeing what is done well here and what is

perhaps being done better elsewhere, to give a more accurate picture of what Australia deserves or does not deserve to be proud of.

Distinctive Features of Australia - Things Australia Does Well At

A clear list of areas where Australia can be said to be ahead of the game can still be identified, though I would hazard that the differences today are perhaps not as great as when Blewett wrote:

1. A national accreditation system

Australia's accreditation system which encompasses all interpreting and translating work, from bilingual aide to paraprofessional interpreter to professional interpreter and translator to international conference interpreter and technical translator within one set of levels certainly is unique. However, it should be borne in mind that other countries may have different models to begin with, for example where the international interpreting and translating profession is strong, we may see more profession-based approaches. Some countries do have partial systems of accreditation for specific sectors, or have other devices such as certified 'sworn translators' common in many European and Asian countries. Australia's approach has been to establish a National Accreditation Authority for Translators and Interpreters which defined levels of accreditation, and then embarked on a multifaceted program to:

- persuade practitioners to gain accreditation
- persuade employers and users to demand accreditation
- approve training courses for accreditation
- test candidates itself to give them accreditation
- help establish a national professional body for practitioners

NAATI at no stage has had legislative backing to ensure public sector organizations or other bodies would use only accredited practitioners, and there has still been no registration of practitioners to guarantee ethical standards, identification of actual practitioners or mandate professional development. Thus, NAATI has had to work largely by persuasion.

Importantly, the accreditation process was not profession-driven but authority driven, a process perhaps at odds with the European tradition of a profession controlling its own field and recruitment (eg on the AIIC model), but quite understandable in a context where there was no established profession and many practitioners had anything but a professional conception of their own work. Moreover, to have an authority-driven model is not an unusual outcome of policy-making in Australia where the state has been quite interventionist in what it sees as a largely immigration matter.

While the migrant language orientation of NAATI is paramount, it should be noted that Australia represents an unprecedented degree of comprehensiveness in accreditation by also including within the NAATI structure two categories of

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languages that in almost every other country stand quite remote from systems of interpreting accreditation or from other language service provision: these are firstly Auslan (Australian Sign Language), and secondly indigenous languages. NAATI accredits in all these languages and approves courses (so far only at the paraprofessional level) in them. In most other countries there is little interchange between these different language categories.

2. Integration of accreditation, training, language services

Blewett's stress in her quote is the integration of an approach to interpreting and translating needs, linking the provision of interpreting and translating services to the accreditation of practitioners and in turn to the training of these practitioners. It is perhaps one of the surprises of looking around the field internationally that this basic troika of provision has seldom been achieved elsewhere. Even in countries where there has been a mandated drive to obtain interpreting services (again the USA can serve as a good example), and where field-specific accreditation has been enforced, training is still often non-existent. Moreover, in many other countries where policy initiatives have been taken to provide some kind of language service, and where no accreditation levels are defined, training is often regarded in minimalist terms - training for a few hours or a few weeks at most in many instances. We discuss training issues more below. A further aspect of training which is also rarely encountered in other countries is training those professionals who work with interpreters, something that has now become quite routine for language services or training institutions in Australia to offer, and for public or even some private bodies to build into staff training. This essential integration is what marks the few countries that have achieved something of the comprehensiveness outlined above.

3. Professional level training

It is perhaps one of the strongest sources of amazement about interpreting and translating in Australia that we can have professional-level university courses to train practitioners in this field. In may other countries training for this kind of interpreting and translating work is still either unobtainable or restricted to short courses. Getting degrees in interpreting and translating to work with local multilingual populations is still very much the exception. It should be noted, of course, that other aspects of this field are perhaps not so rosy in Australia: the courses in Australia are continually under threat for their cost and small student numbers, and a couple of professional-level courses have disappeared since Blewett wrote, including the one she helped to establish in Adelaide! Moreover, we have never had translation, for example, as a serious and widely acknowledged academic field in Australia as it is in so many other countries. And yet the achievement of university level courses is important in establishing interpreting and translating as a profession (often to some amazement on the part of those using interpreters). Elsewhere in the world, courses are struggling still to become established even in such large

jurisdictions as the USA. The UK's Diploma of Public Sector Interpreting has given a boost to training in that country, which was previously only of the short course variety. In Europe outside of Sweden, where training exists at all, it usually consists of relatively short courses (often a semester or less) and there is usually little connection whatever between interpreting and translating schools training for international conference interpreting and technical translation, and those courses training interpreters who will work for the same country's internal communication needs.

4. Government assumption of obligation to provide language services

For interpreting and translating in Australia, this is the level at which government macro policy has been the most decisive. For really quite fortunate and particular historical reasons, when Australia pursued a large post-war immigration program, the government defined itself as having a particular obligation to settlers: Australia had traditionally favoured British immigration for population growth, but when after World War II the flow of British immigrants was too low for Australia's needs, Australia deliberately chose European immigrants (starting with Eastern European Displaced Persons). Aware that these immigrants would in most cases not speak English, and aware of potential hostile reactions to them, the government defined its obligations very clearly: if it had deliberately brought non-English speaking immigrants to Australia, it must assume the obligation of helping them to settle into the new country. The Australian government took on English teaching to the new arrivals (which still remains a large commitment to new immigrants today), and as time went by and English was clearly not going to be universally learnt to a high enough level, the government started to provide interpreting and translating services for communication needs between non-English speaking migrants and Australian institutions. The various governments in Australia have always maintained this obligation, and the clearly established principle is that it is the government and not the individual immigrant, who pays for the service. Language difficulties are not seen as a matter for the individual, but for the government and its various services. This overall commitment has been crucial to the development of the wide range of interpreting and translating services we find in Australia today.

5. Access and equity in various forms

Following on from the previous point, access and equity is now stressed in all federal and State bureaucracies, and is enshrined as a principle of public sector work. This means that at a very general policy level, provision will be made for language services. This commitment has been maintained even though in Australia in recent years, as elsewhere, we have seen significant rationalizations of the public sector and considerable reorganization in some instances of public language services; so far, however, while forms of provision and organization of services has altered (with increasing cost-recovery and some degree of privatization and tendering out), actual commitment to

provide for use of language services has not diminished, and even very economic rationalist governments have stressed the importance of language services for communication with clients of non-English speaking background. The decentralization of budgets and some measure of withdrawal by governments in Australia from direct service provision and responsibility may make it harder to sheet home responsibility for non-use of language services on the part of some bureaucracies, but on the whole commitments to language services have been remarkably well maintained in economically difficult times. Certainly in Australia there is no 'ethnic backlash' or other similar reaction that sees language services as inessential or as a particular privilege for some groups. In a number of other countries, these kinds of threats to language services are in the air.

Again, training the staff who work with interpreters is also crucial, and in Australia this has been seen as important in training courses from professional courses for doctors and lawyers to training public contact staff in social security or other public bureaucracies. This training, which may be viewed as a small point in overall issues of training and provision, is nonetheless important as it does ensure that, as it were, interpreters are not the only ones who care about interpreting or see it as a relevant service. If the expectation that one will as a matter of course work with interpreters in one's profession comes with one's own training, it makes it much easier to ensure responsiveness to interpreting needs in the future. Where this is explicitly seen as part of access and equity obligations in one's work, the message is made even more strongly.

6. Generalist orientation in accreditation

Australia has firmly decided against a system of accreditation that deals with separate fields of interpreting work: thus, the NAATI system accredits Professional level Interpreters or Translators as generalists, not as, for example, 'court' interpreters or 'medical' translators. Whether this generalist approach has a downside we will consider below, but certainly on the upside it has meant a fairly uniform consideration of interpreting as a need across a whole range of institutions - medical, legal, welfare, community - that is often not the case in other countries. The emphasis on the general level of skill required, plus some knowledge and familiarity with all the above fields, is often the model of the freelance or even full-time employed interpreter, with specialization being the exception. This approach has served well to establish language needs and response across the board, and it has meant that certain areas of interpreting have not been left in the shade. Needs in mental health, in education, in the law and in medicine are all each as likely to be catered for at whatever standard. Several of the major language services in Australia are also generic across fields of expertise, though specialist services (particularly in the health sector) have also developed. NAATI has now slowly moved to consider whether accreditation levels need to be supplemented by endorse-

ment for particular specialisms. Given the very marked preference for a generalist approach in the past, a decision to move towards specialism is likely to be made slowly and carefully.

This generalist orientation has consequences for the image of the field as a whole. Thus, in Australia one debate that has been avoided is what one could call the 'adjectival' debate over interpreting: in many other countries where an interpreting and translating profession of the international kind had already strongly established itself, this new field particularly of interpreting could only be defined as a marked variant of the interpreting that was already there, ie international conference interpreting. Thus, we found a plethora of descriptions to try to capture what this new breed of interpreters were doing when interpreting for multilingual populations and public institutions: this field has been and is variously called 'community' interpreting, or 'cultural' interpreting, or 'contact' or 'welfare' or 'dialogue' interpreting, or even 'escort' interpreting! In Australia, the interpreting comes in an unmarked variety - the sort of interpreting practised in Australia is, simply, 'interpreting': the small number of international conference interpreters have not had the influence to define the field in contradistinction to their own work; indeed in Australia it is international conference interpreting that may well be the marked variety.

While the above points identify where Australia has made significant running on interpreting and translating issues and is perhaps ahead of many other countries, it is equally possible to identify areas where developments in some overseas countries leave us behind. This is certainly not to suggest that all overseas countries are ahead of Australia in the specified examples, but that some strong models do exist elsewhere that could well be examined more closely by the field in Australia, and where, if we feel others can learn from us re accreditation or training or language services, we in turn could learn from:

Things that Some Other Countries Seem to Do Better At than Australia

1. Interpreting and translating in Indigenous languages

The immigration-oriented nature of many contemporary language services is acknowledged in the foregoing discussion. In general too, we can say that the provision of language services for internal communication needs reflects in large part overall social ideologies towards immigration. Even sharper as a guide to social attitudes is provision of language services for communication between indigenous languages and mainstream institutions. In Australia this has been a stop-start affair. While Aboriginal languages have been brought within the NAATI system, and there was a spurt of activity to train and accredit interpreters and provide some language services in the 1980s, this has stalled in more recent years.

Here, Canada clearly stands out as a model, as is well illustrated in the impressive edition of *Meta* devoted to this field (No.38, 1/1993). Canada has

worked hard to develop, maintain and support language services in a number of indigenous languages in its north and north-west. Efforts have been made from the late 1970s to establish language services in several native languages, and to establish effective training for practitioners, most spectacularly through the operations of Arctic College, which attends to the very real problems associated with training groups that are widely dispersed and often with little familiarity with western-style training methods. Arctic College addresses all the needs of trainees including accommodation for families and other vital support during training.

Every reason ever advanced in Australia as to why interpreting services in indigenous languages are difficult or impossible to provide have been met, and substantially answered, in the Canadian case, demonstrating the greater effectiveness of Canadian approaches and reflecting what is probably a more settled acceptance of indigenous rights and needs than is the case in Australia, where reconciliation is still a prior agenda item in indigenous-mainstream interactions. In Australia, a degree of vacuum has been created as the Department of Immigration and Ethnic Affair's Telephone Interpreting Service has been asked not to work in these languages by ATSIC [Aboriginal and Torres Straits Island Commission] as they should not fall under the immigration portfolio, but ATSIC has not provided language services itself, leaving the field to some work by Department of Social Security and isolated efforts by individual hospitals or legal services to provide interpreting. There has recently been renewed activity in this area with the holding of the Alice Springs conference on interpreting and translating in Aboriginal languages in late 1995, but clearly this is still an area of substantial neglect.

2. Court interpreting

One of the consequences of Australia's generalist levels of accreditation is that no particular emphasis has been placed on either accreditation or training systems in specialist areas of interpreting such as court interpreting, or for that matter other specialist fields. Yet in many other countries this is the premium area of interpreting, receiving a significant degree of attention from state institutions and at least one powerful profession. This is obviously the case in those countries such as the USA where constitutional considerations have given this area a primacy, as discussed earlier. Yet in other countries also, despite a less adversarial constitutional basis, legal systems themselves have moved to have specialist court interpreters and view this area with favour. Even in a country such as Austria, where Franz Pochhacker argues that conference interpreting is 'absolutely dominant', the field of court interpreting has ben recognized and is now developing its own accreditation system. Court interpreting is viewed as highly skilled work, and it is significant that a number of conference interpreters have become interested in this area and are involved in practice, training or publishing in it. In Denmark, business schools are mandated to provide training for court interpreters (defined in slightly broader terms as 'authorized interpreters'); in this case, provision has

not quite caught up with practice as the schools teach only in the major EU languages, while the actual language demands in the legal system are far more diverse; however, the status of the area is clearly established. In the USA also, only relatively few languages are covered by present systems (at the moment only 8 at the federal level), so constitutional imperatives do not necessarily lead to widespread provision.

It is possible, of course, for a generalist orientation to be critical of such a specific focus and specialization: after all, is the focus on court interpreting because there is something inherently more difficult and demanding of court situations; because court interpreting is more difficult, say, than medical or mental health or counselling interpreting? Or does this attention to court interpreting merely reflect the prejudices and status of the powerful legal profession? However one argues this, in Australia there is no systematic approach to the question of specialist areas such as court interpreting. Only the Victorian Interpreting /Translating Service (VITS) runs a specialist legal interpreting service and a Legal Orientation Course for interpreters, and no training institutions prepare specialist legal interpreters. NAATI is now starting to talk of some kind of specialisms complementing professional accreditation, but we are still a long way from developing a definite specialism in the legal area with focused training, professional development and research.

3. Research and clearing house activities

The rather abysmal scene generally on research in interpreting and translating around the world should not blind us to the fact that in some countries significant attempts are being made not only to do research but to disseminate this knowledge through clearinghouse activities and information exchange. An excellent example of this is the Monterey International Center for Interpretation, which is becoming an international clearing house on all aspects of interpreting. Another area that is worthy of mention is the considerable research effort that has gone on particularly in the USA and Canada into sign language interpreting - in fact, there is probably as much research in this area in terms of PhDs and published conference papers as for the whole of liaison interpreting for spoken languages. Yet Australia, for all its pride in its model of language services, has itself contributed little to the research field, even though we certainly do have a substantial body of practice to research. Also, Australian practitioners or educators, with a couple of individual exceptions, often are unaware of overseas research and information. It is as if because the Australian interpreting and translating field more or less had to invent itself, we cannot rely on assistance from anywhere else because we have a unique interpreting and translating situation, yet as this study has so far shown, situations are rarely unique to Australia.

It is no longer enough to see research as an 'academic' or peripheral activity for interpreting and translating. Research is needed here for two different but related purposes. First, it is folklore among practitioners that interpreting or

translating in this field demands not only linguistic skill, but a whole complex of interpersonal skills, social understanding, institutional awareness and contextual knowledge to really be able to work effectively. However, for the most part that is where it stays, at the level of folklore, as the research work that has been done so far is rudimentary: we only have the vaguest models of the complexity we claim. There has been some work internationally on courtroom interaction, but other interpreting encounters have only been studied in a small corpus of work by researchers in the USA or Scandinavia, and such studies have only in two or three cases in total been carried out in Australia. Without this research, we do not have an intellectual basis to present the field to others, thereby we do not get resources to do more research to help us understand our own practice or explain the field to others, thus contributing to a vicious circle of lack of research leading to lack of recognition leading to further lack of research.

Secondly, from a language services perspective, increasingly demands are now being made of services that they justify their rationale, *modus vivendi* and organization upon some knowledge basis. Language services everywhere are in the position of being under almost continuous 'review', and this is certainly not an Australian phenomenon alone, yet often even basic data are not collected on activities, and reviews are carried out and reforms implemented based upon little knowledge. Even for self-defence, such research and information on one's own service and potential comparisons with others (including those overseas) are seldom pursued.

4. Interface of community/entrepreneurial activities

The identification of public sector interpreting largely with immigrant groups has always meant that the status of this activity is very dependent upon overall social attitudes towards immigration. The 'welfare' halo that then surrounds the field stands in contrast to the largely market-driven and profession-driven field of international conference and business interpreting and related translation fields. Yet significantly now, many 'immigrant' languages are also major languages of trade and international relations, yet these links are seldom recognized in the organization of language services or in practitioners' work.

One significant example is the UK telephone interpreting company Language Line, which started out largely with foundation money providing services to the public sector and found itself consistency in debt with budget blowouts. Reorganizing itself completely, it changed to a structure where fees would be charged to all client agencies, at a high rate of £4 per minute (in business hours) or £7 per minute after hours, and now returns a profit. Moreover, it has also actively marketed its services among the business community, and has developed itself, at least in part, as a general language service resource for any kind of need. More generally, in at least some countries, perhaps because all language services have not come essentially from the

government or welfare sector, or perhaps because language professionals are more used to working also in business settings, we have a situation where there is much more pragmatism and perhaps opportunity seeking than we are used to in Australia. We do have some innovative public language services in Australia and some are keen to develop closer links to business, such as VITS' developing of conference interpreting, but these initiatives are still relatively small and new.

5. Professional development

Professional development is still limping in many countries where practitioners are working in multilingual population settings. Only a few countries have seriously taken up the challenge of embedding expectations of professional development within registration systems. Perhaps the best example here is the USA, where at the federal level and most states, court interpreters are expected to pass a certain number of points of professional development courses or activities in order to go on being registered. In some instances similar moves are being foreshadowed for medical interpreting.

The situation of professional development in Australia shows few signs of progress from when Blewett wrote. We are still caught in a system where employers or language services do not and cannot demand professional development from their practitioners: such professional development must be either provided by the employer/language service, reluctantly and at considerable cost, or be undertaken by the individual practitioner at their own expense. As no system of registration exists which can enforce professional development, so it remains entirely the responsibility of the individual practitioner to develop their skills, but it profits an individual interpreter little to do so as there is no formal recognition of such development, and it will be a cost in almost all cases to be borne by the individual practitioner. Education bodies are only slowly providing any professional development, and the national professional body AUSIT (Australian Institute of Interpreters and Translators) remains weak and unable to insist on adequate professional development. The few glimpses of hope in this area come when language services become particularly concerned over the level of interpreting in some of the low demand languages for which there is no NAATI accreditation and no established training courses, and organize some form of orientation course for these often newly recruited practitioners, and then find that such courses would also be more than useful for many of their already established practitioners! Such courses barely qualify for the category of professional development, but at the moment that is where we stand in Australia.

The paradox exists that in the USA, where initial pre-service training courses in interpreting and translating are still quite rare, we have the strongest professional development requirements, at least in the area of court interpreting. In Australia, where an accreditation system is now well accepted and opportunities for pre-service training do exist, professional development is almost totally absent.

6. Publicizing what is being done

One of the more exasperating features of interpreting and translating in Australia is that, however highly we would like to praise our approach to interpreting and translating, there is precious little ever published or publicized about interpreting and translating in Australia that one could with confidence show to anyone else. There is little promotion on the part of individual language services, and precious little academic work. Yet in several other countries, perhaps whose services are or are not anywhere near as well developed as ours, it is possible to find informative publications, and in some cases extremely enthusiastic practitioners or managers wanting to tell more. Materials I have seen from countries as diverse as Belgium, the United States and South Africa are informative and often engrossing. Sometimes, of course, it can be largely show: a glossy publication listing a course, say, may have pages of enthusiastic description, and then you find out in the small print that it is a 30 hour course. But think of what Australia doesn't do to beat its own drum: we may have excellent courses or language services but our material scarcely gets beyond the stage of a standard brochure, and academic or more general publishing on the area is virtually non-existent.

As mentioned already under research and dissemination activities, language services or accreditation bodies or educational bodies will be likely to come under increasing scrutiny, and unless they are able to adequately represent their activities to the outside world they could face a difficult time in justifying resources being spent on them. They also forego making their services known in a community or in professional fields where many aspects of interpreting and translating are still not well understood.

Conclusion.

The balance sheet for Australia shows an impressive list of achievements, but most of these achievements have now been in place for a considerable period of time and some newer issues are not being well addressed. Blewett wrote nearly ten years ago but in fact she would have little to add to her list today in Australian interpreting and translating. It seems urgent to address those areas where we can definitely see better practice in some other countries, for they in many cases indicate where our own provision has not advanced, and much is at stake if we ignore these crucial areas.

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Innovative Training and Testing Models for Interpreting and Translation

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Introduction

This paper describes several innovative training and testing models for Interpreting and Translating currently conducted at the Institute of Languages, University of New South Wales (UNSWIL). UNSWIL was established in 1966 as a self-funding Institute within the UNSW. Whilst in many ways it is autonomous, the Director reports directly to a Pro-Vice-Chancellor. Historically, UNSWIL has taken a keen interest in the field of Interpreting and Translation, offering the first interpreter training course in the early 1970s as well as an Interpreter Test. The first two Directors of UNSWIL took an active interest in the establishment of the National Accreditation Authority for Translators and Interpreters (NAATI).

Currently, UNSWIL has four main areas of specialization, each with a different clientele: Modern Languages, English Language Intensive Courses for Overseas Students (ELICOS), Migrant English and Language Teacher Education. The tests and courses described in this paper are from the Modern Languages Department and the ELICOS Department.

Courses and Tests in the Modern Languages Department

The Modern Languages Department has three main areas of activity; language teaching, language testing and translation and interpreting services. This paper will focus on the Australian Interpreting and Translating Test and the Interpreting and Translation examination preparation course.

The Institute of Languages does not give accreditation towards a degree for its courses, and is therefore free to provide flexible models to address the specific needs of clients and industry. The Modern Languages Department has the philosophy of giving everyone a chance to prepare themselves as an Interpreter/Translator, or to be tested in that field. To that end, the tests and

courses are offered to people of any language background. Over 60 languages can be tested.

The Australian Interpreting & Translating Test

The Institute has had its own Interpreting and Translating test since the 1970s, originally called the Interpreter Test. It was redesigned in the late 1980s and renamed the Australian Interpreting & Translating test. It is available for any language group, and has been used extensively by the Health Department. The aims of the AIT test are to ascertain general language competency in both English and the other language as well as Interpreting and Translation skills from English into the other language. The test is at the paraprofessional level, and has the advantage that it gives a breakdown of the candidates' strengths and weaknesses in the areas of oral, written, interpreting and translating into the other language. Whilst it is intended as a proficiency test at the paraprofessional level, it is often used as a diagnostic tool by employers. A detailed analysis of areas of strength and weakness is provided in all skill areas tested. Its uniqueness lied in its availability to language speakers of any background.

This test is also adapted for industry purposes when a corporate client requires testing of candidates for a job. It is suitable for testing the language skills of people who will be required to use their language skills during the course of their employment, but not as professional translators or interpreters.

Interpreting and Translation Preparation Course for the Professional Level Examinations of NAATI

Over recent years, people are increasingly keen to become qualified at the professional level with a view to changing fields into Interpreting and/or Translation and perhaps with the intention of working in the lead-up to and during the Olympics 2000. A new part-time evening course has been introduced this year to address the needs of people of any background who may wish to prepare for the professional level NAATI exams. It is a multilingual class, with workshops delivered in English on the main topics typically useful for the professional level, such as the ethics of the profession, translating and interpreting skills, using technology, finding employment in the field. As the Modern Languages Department aims to assist people of any language background, and it was felt that English language workshops alone would not be sufficient preparation, special assignments were designed to assist each student in his or her language and skill area. These assignments are assessed by professionally qualified people using a detailed marking scheme, thus providing detailed individualised feedback to the participants. For the last 4 years, SBS testing has been carried out in over 60 languages as part of their recruitment process. Therefore we can draw from a bank of qualified skilled people who would be able to assist in the marking of specialised assignments.

The **course content** consists of the following:

- Workshop content:
- Ethics of the profession
- Social and cultural awareness
- Theoretical aspects of Interpreting and Translation
- Types of Interpreting and Translation
- Techniques for Interpreting and Translation
- Terminology and accessing resources
- Technical translation
- Health translation
- Health and Court interpreting
- Agencies and working in the field
- Feedback on assignments

Assignment content:

- Interpreting: practice both ways with consecutive interpreting and dialogue interpreting.
- Translation: practice into and/or from English with a range of text types including brochures, general, legal, scientific, medical texts etc.

Initially Translating and Interpreting were to be offered separately, with separate workshops and assignments for each. However, the people who enrolled generally knew very little about the field as a whole, and had either been doing some informal work every now and then, or had not worked at all in the field. Therefore, we decided to cover both Translating and Interpreting in the workshops, which are all given in English.

The workshops cover the usual important aspects of Interpreting and Translation as described in the figure above. The assignments are marked by experts in the field with detailed individualised feedback. Through detailed comments and grading reflecting their level on a scale from lower advanced through paraprofessional to professional level, participants can gauge their progress and can continue to prepare with additional assignments if they desire.

Interpreting and Translating in the ELICOS Department

The ELICOS Department caters for overseas students coming to Australia to study English over a short to medium length period. The length of their study at the Institute can vary from four to forty weeks.

One of the reasons often given by overseas students for learning English is the desire to improve their career prospects in their home countries. Typically, they may wish to work for multinational companies or companies trading with English speaking countries, for tourism or the media. The widespread belief that people fluent in other languages can interpret and translate with-

out any specialised training leads us to believe that our students may often be asked to perform a variety of interpreting and translating tasks. They will most likely be asked to carry out tasks considered 'easy' by people with little or no experience in interpreting and translating. These tasks include translating letters, memos, simple documents, interpreting for foreign visitors or low profile business meetings.

The English and Translation and Interpreting Skills course aims to provide overseas students with an introduction to the field of interpreting and translating. It raises their awareness of the skills and knowledge required in the profession and of the need for specialised training.

The English with Translation and Interpreting Skills (ETIS) Course

ETIS is a part time course consisting of eight hours a week over a period of ten weeks. It is integrated into the level 6 general proficiency syllabus and can usually only be taken as part of a full-time English language course.

The twofold aim of the course is to further develop students' general English language skills while at the same time introducing issues relevant to interpreting and translating and providing the opportunity to 'try out' interpreting and translating in a multilingual classroom. Following are some of the topics covered in the course:

- Ethics of translation and interpreting
- The role of the interpreter
- Approaches to translation
- Types of interpreting: consecutive, simultaneous, conference
- Interpreting skills required for different situations eg note-taking skills
- The role of NAATI
- Translation skills: dealing with idiomatic language, technical vocabulary, variation in register etc
- Interpreting in the international context
- Visits and guest speakers

As this is a course for English as a Second Language (ESL) learners, all the materials dealing with these topics are designed to provide factual information as well as to assist language learning. Theoretical sessions are combined with translation and interpreting workshops which are organised thematically. Every week different types of translation and interpreting assignments relevant to the weekly theme are examined. For example, within the theme of tourism, the class will first discuss English language materials such as promotional fliers and guide books. Students are encouraged to identify linguistic features of each genre and then produce similar texts in English. Text analysis would also involve a discussion of translation procedures relevant to the theme such as dealing with proper names and culturally specific terms. Stu-

dents would then proceed to translate a text from their language into English either in groups or individually. Their English texts are analysed in two ways. The first is to assess the appropriacy and accuracy of the English language while the second focuses on the accuracy and effectiveness of the translation process. Interpreting may be practised in the language laboratory using audio tapes in English as well as in the other languages and in class through video role play activities.

The classroom topics and activities outlined above are neither new nor unique. The innovative aspect of this course is the combination of English language training for overseas students with basic interpreting and translation training while delivering the course in a multilingual class. Providing a trained ESL teacher who is also an expert in the area of interpreting and translating for each language group involved would be difficult and financially not viable. A typical class will consist of 12 - 16 students and 3 to 8 languages. The Institute has drawn on its expertise in English language teaching and experience in providing interpreting and translation services. The main teacher on the course is ideally both an ESL teacher and a translator/interpreter. However the course can also be delivered by an experienced bilingual ESL teacher. The teacher works in cooperation with a group of professional translators, interpreters and guest lecturers from the field. Each language specialist prepares a set of texts in the other language and a possible translation for each text as well as recordings in the other languages based on a script in English. This provides the classroom teacher with guidelines for judging student translations. The class will also discuss alternative translations of the given texts.

The course has now been running for several years and has been popular with students at the Institute. A number of its graduates chose to pursue further training in the interpreting and translating field both in their home countries and in Australia, which is a rewarding and encouraging outcome.

In conclusion, the AIT test and the courses described in this paper have the common aim of providing people from any language background with the tools to prepare themselves for the challenging tasks undertaken in translating and interpreting. In the case of the test, to provide them with some form of accreditation or confirmation of the skills they have in the other language for future employers. In the case of the courses, to provide them with background knowledge of the field and the types of skills required in the profession, as well as to provide them with practice in translation and interpreting in English and their other language.

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